THE

BRITISH REFORMER'S ADVOCATE,

AND

POLITICAL INSTRUCTOR;

BEING AN EXPOSITION

OF THE

PRIVILEGES, POWER, AND INCOMES,

OF THE

BRITISH ARISTOCRACY, &c. &c.

COMPILED FROM VARIOUS SCARCE AND AUTHENTIC SOURCES,

BY D. P. WHITEHEAD.

Whatever may become of me, my PRINCIPLES will last for ever.—GERALD.

EDINBURGH:
PUBLISHED BY ADAM BLACK,
27, NORTH BRIDGE.

1832.

ENTERED AT STATIONER'S HALL.

EDINBURGH:
PRINTED BY ANDERSON & BRYCE.

TO THE

PEOPLE OF ENGLAND, SCOTLAND, AND IRELAND,

AND TO A

REFORMED HOUSE OF COMMONS,

THE FOLLOWING COMPILATION

IS MOST RESPECTFULLY INSCRIBED;

BEING PUBLISHED WITH NO OTHER OBJECT

THAN TO GIVE

A SHORT, PLAIN, AND, IT IS TO BE HOPED,

PRACTICAL VIEW

OF A NUMBER OF VERY IMPORTANT SUBJECTS,

ON THE SPEEDY SETTLEMENT OF WHICH

DEPENDS

THE HAPPINESS AND PROSPERITY

OF THE

BRITISH EMPIRE.

PREFACE.

THE want of a condensed and systematic compilation on political subjects has long been felt as a desideratum in the field of political literature; and indeed this may well be accounted for on the too true supposition, that, previous to the accession of the present patriotic and reforming ministry, and the passing of the Great Charter of 1832, any person attempting to compile such a work, ran the extreme risk of imprisonment, banishment, or expatriation. Thank heaven, the aspect of the political horizon has now assumed a different hue;—tyranny is abashed, and seeks among the taunts, jeers, and execrations, of millions of liberty's sons, to hide its hydra-head to appear no more for ever. And now, since the Reform Acts have passed the political rubicon—now since the hitherto unenfranchised sons of Britain have been at length set free from the galling chains of political bondage under which they have so long lain, bold indeed would that man be who would dare again to rivet them upon the necks of the now enfranchised people of one of the greatest and most prosperous empires upon the surface of the habitable globe.

Whatever dangers, then, beset the friends of freedom in former perilous times, we have certainly to feel grateful that such dangers exist no longer, and that they are for-

ever banished from our own well-beloved country, and we hope soon to see them banished from every other.

We also hope, that ere another quarter of a century go round, that one of the bravest nations on the face of the earth (unfortunate, but illustrious Poland!) will have risen like a Phœnix from its ashes, to reap the happy fruits of the many glorious struggles she has so fruitlessly been compelled to encounter; and likewise to behold, ere long, one of the most diabolical of modern tyrants, chased from human society, into the innermost recesses of those horrible desert wilds to which he has banished so many hapless innocents, whose only crime was in being the children of patriots and of freemen.

The study of national politics is not attended with so much peril and danger at the present day, as formerly, and we affirm without the least hesitation, that next to religion, politics ought to be the chief study of every human being. A sound and practical knowledge of national politics, is to an individual with respect to his temporal interests, what religious knowledge is to his spiritual. There are a great number of men, however, affecting to be rational, who pride themselves upon their political ignorance, and who also think, that because they are thus wilfully ignorant on a number of very momentous topics, that they are the happiest and most fortunate creatures imaginable. But, Ah! what a mistake do these unfortunate beings labour under; as well might they imagine that the farmer, by suffering his grounds to lie untilled, will realize a plentiful harvest, as that they, by reason of their ignorance on politics, will accelerate the cause of national reform, on the speed of which, in a great degree, depends the welfare of their fellow-men as well as themselves. This class of men, however, who think so preposterously, are fast getting out of date; and as speedily are mankind leaving behind them

the old frequented path of political ignorance in which they have trod so long, with so little benefit to themselves and the country; and to such a length has the political hunger of the nation arrived, that we fear, unless the barbaric taxes upon knowledge be abolished, there will be a real *political* famine in the country. We earnestly hope, however, the country will be spared this last-mentioned evil, by the tax on Newspapers being repealed, that by this means the beneficial study of rational politics may become as free as the study of religion—the light of the sun, and the air we breathe.

It is a common complaint among those who wish well to their fellow-men, that a deal of useful information embodied in the Newspapers is in a great many instances apparently lost, and that no means are taken for remedying the increasing evil. For instance, what a number of useful hints and plans of public improvement have appeared, been read, and then forgotten, since the Reform Bills were first agitated, and no steps as yet taken to repair the mischief. To remedy, however, in some measure this national loss, is among others one of the objects contemplated in the following compilation on political subjects, and which has been condensed and arranged in a systematic form, so as it may be the means of instructing those of our countrymen who are still sitting in the region of political darkness and dangerous perplexity.

Another object sought for, is, the getting classed together a series of the most important questions, which, from time to time, are expected to appear upon the political arena of the country, so that those who feel interested, and possess a copy of this Compilation, may have nothing to do but turn up the Contents, and the page, in which probably, he will find the subject he is seeking, in place of perhaps turning over file upon file of old Newspapers and

Periodicals in search of it, and very likely be disappointed after all.

It has been consequently the Compiler's chief care to select political extracts of real practical utility; and he humbly trusts his labours, for the benefit of his fellow-men, shall not have been altogether in vain. He begs leave to return his sincere thanks to all those who have so kindly given extracts and information for the promotion of the work, not forgetting those too who have furnished subjects, but for which there has not been found room in the present compilation, but he promises, that should another edition be required, that their's shall meet with his earliest attention.

The Compiler has only to add, that he had determined to publish anonymously, and should still have adhered to his original resolution, but from an apprehension that it might have been construed into an unmanly fear of openly avowing his sentiments upon a number of political questions when derided or opposed—an imputation to which he would not willingly be subjected. He has therefore been induced to alter his determination, and he now pledges himself that this Compilation will be found to compromise none of the principles of Reform, while, at the same time, it will probe to the bottom the corruptions of the British nation, and give a true and faithful exposition of the system of iniquity in all its varied aspects, and disclose to view the different plans of Reform which are necessary to improve, and simplify the internal and external government and policy of Great Britain.

DAVID P. WHITEHEAD.

EDINBURGH, 15th December 1832.

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BRITISH

REFORMER'S ADVOCATE.

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THE civil constitution of Britain forms its peculiar glory, and is so intimately connected with the genius and manners of the people, that the best description can only approach towards the truth. It is a limited monarchy, balanced by two senatorial houses. The executive power is vested in the king, and the legislative in the two senates, which represent the people. The utility of the latter originates from their forming one interest with the people; but when they have acted a contrary part, they have become dangerous instruments of oppression, and have been wisely discontinued in other nations. The stability of the British senates has arisen from their general concurrence with the popular voice, partly from their construction, and partly from their connection with the people.

The power of the king, though limited, is very extensive. He combines in his person the dignity of a chief magistrate, with the sanctity of an high-priest. He is the temporal head of the church, and since Henry VIII. assumed that power, he has received the title of His Sacred Majesty. The crown is hereditary, females not being excepted; but the sovereign must profess the Protestant religion. At his coronation, he solemnly engages to govern according to the statutes and laws of the kingdom, to maintain the Protestant religion, preserve the legal rights and

privileges of the bishops, clergy, and Church of England and Ireland, and the Presbyterian form of church government in Scotland.

The royal prerogatives have never been accurately defined. He has power to assemble, to adjourn, to prorogue, to dissolve, or to remove Parliament at pleasure. He has power to declare war, and to make peace; to form alliances, and to make treaties. He may levy men, and arm the nation at large, if urgent necessity render it expedient. He is the supreme commander of the army and navy, and the fountain of honour, from whence proceed all dignities and honorary titles. His assent is necessary to give validity to all the acts of parliament, and he is invested with the privilege of pardoning crimes, and mitigating penalties. He can increase the House of Peers or Commons. He has the nomination of all magistrates, counsellors, and officers of state; of the principal officers in the army and navy, and likewise of the superior, and many of the inferior clergy. As the head of the church, he can convoke a national or provincial synod, and with the concurrence of the clergy, enact laws either respecting faith or practice. To the sovereign belong all magazines, ammunition, castles, forts, havens, ports, and ships of war. But though his power is so extensive, yet he can neither enact new laws, nor impose new taxes without the concurrence of both houses of parliament. To devise or intrude his death, is a capital offence: his person is inviolable, and in the eye of the law, he can do no wrong.

The parliament is composed of the king, the peers, and the commons. They originally met in one house, but are now divided into two assemblies, called the House of Lords, and the House of Commons. It is uncertain when this separation took place, or what gave rise to it, but the present form of parliament may be traced to about the middle of the 13th century. The former of the houses consists of the lords temporal and spiritual of England, or the hereditary nobility, and the archbishops and bishops. Sixteen peers represent the Scots, and thirty-two the Irish nobility; but the number of British peers is indefinite, and may be increased at the pleasure of the crown. The president of the House of Peers is generally the Lord Chancellor.

The House of Commons is composed of 658 representatives from the different counties, cities, and boroughs,

throughout the empire; 53 for Scotland, 105 for Ireland, and the remainder for England and Wales. A speaker or president, is chosen at the meeting of every new parliament, but as the office requires a knowledge of the forms of the house, he is usually re-elected. The commons may impeach the greatest peer in the realm, but their peculiar privileges are in levying money, and imposing taxes. During their journey to parliament, their attendance upon it, and on their return, the members and their servants are exempted from arrest in civil causes. The power of parliament being unlimited, it can regulate the succession to the crown, alter the established religion, and change the constitution of the empire at pleasure. The acts of parliament constitute the statute laws of the kingdom, and may originate in either house. The following is the manner of introduction:—any member may move for a bill, which, being seconded, the mover, and those who support him, prepare it. When presented, it is read by the clerk, the clauses are debated, and a day appointed for a second reading. After which, it is discussed, and referred to a committee of the whole house, or to a small committee, if the matter is not of very great importance. Every clause being again read and debated, the amendments made, and the whole read anew, the bill is then engrossed, that is, wrote on parchment. After the third reading, the speaker, holding the bill in his hand, inquires if it shall pass the house. If agreed to, it is done accordingly, but if not, it is proposed that it be read again in three months, which is a polite mode of refusing to pass it. A vote is given in the House of Commons by *aye* and *no*, in the House of Lords by *content* and *not content*. In the house, no member can speak twice, except in explanation; but in a committee, the members may speak as often as they choose. A bill may originate in either house, except those relating to taxation, which must begin with the Commons, and so jealous are they of this privilege, that the Lords must either accept a bill of this nature wholly, or reject it.

The forms of procedure in the House of Lords, are similar to those in the House of Commons. When they agree to a bill sent by the commons, the latter are, by a message, informed of the concurrence. If the bill is not agreed to, no farther notice is taken of it. If some alterations and amendments be proposed, the bill, with the

amendments, is transmitted to the Commons. If the Commons agree to the alterations, the bill is sent back to the Lords, with a message signifying that agreement. If the Commons object to the alterations, a conference between several members of both houses, is held in a room appointed for that purpose, where the difference is generally accommodated to the satisfaction of both parties; but if both remain obstinate, the bill is dropt.

When a bill has received the sanction of both houses, it remains in the House of Lords for the Royal Assent. The Royal Assent may be given either in person or by letters patent, under the great seal, signed by the king, and reported to both houses by commissioners appointed for that purpose. If the king assents to a public bill, the clerk declares, *Le Roy le vent;* if to a private bill, *Soit fait comme il est desiré;* if to a money bill, the clerk declares, *Le Roy remercie ses loyal subjets, accepte leur benevolence, et ausi le vent;* when the Royal Assent is refused, a circumstance which now seldom takes place, the clerk pronounces, *Le Roy s'avisera.*

The parliament is frequently adjourned for a considerable time, but the bills always remain in the same state, and the business is resumed where it was left off. When the parliament is prorogued, however, the session is terminated; and such bills as have not been finished, must be resumed at the beginning, as if they had never been introduced. When the subjects are of importance, they are often warmly debated; and the eloquence and abilities displayed, surpass any thing known in modern ages, and are not perhaps inferior to the best specimens of Greece and Rome.

SECTION II.

A REFORMER'S VIEW OF THE BRITISH CONSTITUTION.

THE composition of the British government, previous to the passing of the Great Charter, is easily understood, and is very different from the descriptions which some theoretical writers have given of it. When the true nature and character of this government—its merits and defects—are the points at issue, we shall be pardoned for speaking plainly on this subject. We shall endeavour to do it without offence.

The government of Britain resided essentially in an oligarchy of 200 or 250 great families, who returned a majority of the House of Commons. The administration is vested in a king, enjoying extensive powers and great patronage, but who is substantially nothing more than the chairman or the steward of the oligarchy. He has some means of influencing their decisions, as the chairman of a great company usually has, but still the necessary condition of his office is, that he conform to their opinions and wishes in his mode of conducting the government. George III. accepting Chatham for his minister, while he detested the man and his principles, and retiring from the audience chamber to weep, is a just and faithful picture of the thraldom in which the king had been held by the aristocracy.

The king, however, is not appointed by the oligarchy, and not directly responsible to them. He exists ostensibly as a distinct power in the state, and has prerogatives and influence sufficient to compel them to treat him generally with respect. It is well for the people that things have been so arranged. If the oligarchy had added to their other privileges that of electing their own *Doge* or chief, our burdens would have been still more oppressive than we find them, and our rights—such as they are—long ago annihilated. Venice with its lion's mouth, its state inquisition, its silenced press, its secret tribunals and tortures, its stern, jealous, corrupt, rapacious nobles, and its poor, insulted, degraded commonalty, is, or rather was, a type of what Britain would now have been—unless, indeed, the

manly, brave, and high-spirited people of Britain, had risen in their might, as they most probably would, and hurled the oppressors from their seats.

The crown then, happily for us, exists as a separate authority in the state, though unequally matched with the oligarchy. Now, when two distinct and independent powers are united in conducting any business or concern, how do they manage to draw together? How are their separate or diverse volitions made to concur? We answer, by *compromise*, or mutual concession. We do not think the holders of burghs worse than other men; but till human nature is greatly changed, those who possess irresponsible power will abuse it to selfish purposes. The jarring interests, the conflicting views of the crown and oligarchy, were adjusted by compromise. The crown could find means of carrying on the government only by appealing to the cupidity of the oligarchy; and the oligarchy on such terms were ready to gratify the personal wants of the crown, which, indeed, were at all times comparatively reasonable. The Minister poured money, pensions, places, titles, honours, into the lap of the burgh-holders; and the burgh-holders repaid the favour by voting million after million out of the pockets of the people, and by empty professions of risking life and fortune in a cause, which they meant to support only with the lives and fortunes of others. This is a strong, but a true representation. We challenge any man to explain otherwise, why under a grinding taxation, tearing the bread from the mouths of the people, and calling so loudly for economy, our political system should be characterized by a reckless and scandalous profusion, *unknown under the most tyrannical despotisms of the continent;* why William Dundas should have six, or Thomas Thurlow £10,000, per annum, for doing nothing? Why we should have four generals for every regiment, two admirals for every ship of the line, *two* military, and *three* naval officers *paid* for *one* that is employed; why we should have sinecure bishops in Ireland with ten or twenty thousand pounds per annum, and crowds of well beneficed rectors and deans without flocks; why, in fine, one-third of our free revenue (about six millions out of eighteen!) should be spent in pensions, and military and civil annuities! We assert boldly, that neither in Russia, Prussia, nor Austria, nor in any state under the

sun that has pretentions to civilization, is there an approach to such a system of organized waste and plunder! It is a system which writes CORRUPTION on the brow of the oligarchy in characters of flame!

Do we say, that every act of the government so constituted is bad? Far from it. The burgh-holders have many interests in common with the people. Good laws, good police, protection to industry, benefit them along with others; but their general interest as subjects and tax payers, is frequently small in proportion to their special and sinister interest as tax-eaters and sharers of place and patronage. It is this which carries a taint into every part of the system.

But had the people no influence in the House of Commons and upon the government? Unquestionably they had some; and we shall explain what it was. *First*, They return a few members to Parliament directly, through populous open burghs, such as Westminster, Norwich, Southwark, Preston, &c. *Second*, Intestine divisions among the oligarchy induced some burgh-holders to espouse the people's cause from jealousy or disappointed ambition, and generous feelings move others. *Third*, They have the agency of the press, and public meetings, though not undivided. The democratic force in Britain, the influence of the people, consists in the power of arguing, expostulating, and protesting by a fractional part of the representation against an overpowering majority, *within* Parliament, and of petitioning, clamouring, and threatening, *without*. In small matters, as in a trifling tax or a regulation respecting trade, the oligarchy now and then yielded to the growlers within and without, and granted what they were perfectly able to refuse if they had chosen; and then the Peels, and Bankes, and Cannings, affect extreme astonishment, and ask, who will be so bold as say, that the voice of the people has no influence in Parliament! At other times, when the people are very clamorous, and the propriety of conceding is not felt, the cry is raised to "make a stand" to "save the Constitution;" and then follow bills to disarm the people, bills to prevent them from holding meetings, bills to suppress cheap publications, with suspensions of the Habeas Corpus Act, and all the other instruments of coercion and terror, to silence the voice of those whose organ Parliament ought to be. By the people

here, we do not mean merely the working classes; but these in connection with the middle ranks, and such of the upper as are not directly interested in the oligarchical monopoly of power. Had the opinions of these classes been taken by ballot, when the Six Bills were proposed in 1819, we firmly believe, though wild doctrines were then afloat, that the bills would have been rejected by a majority of six to one.

A few years ago, what we are now writing would possibly have been visited as sedition. At this day it cannot possibly be regarded as such; for the legislature, by passing the Reform Bills, has proclaimed to the world, that corruption of the most flagrant nature existed in the British Constitution. Indeed, one of the very best marks of a truly free and popular government is, that it needs neither to tie the tongues nor the hands of its subjects, *that it can afford to indulge all who live under it in the luxury of speaking treason and sedition every day!* There is but one government in the world that has stood this, as it has proudly stood every other test of purity and faithfulness; we mean that of the United States. Since its true principles were called into action by the republican party in 1801, no man has ever been prosecuted for words spoken or written against the State. Yet perhaps a year has never passed since that time, without some two or three among its thousand orators, and thousand journalists, declaring publicly in unqualified terms, that the federal government was a most infamous tyranny, and should be pulled down by force! We know that such statements were openly made in 1813, when an enemy was at the gates. Why is no Attorney-General put in motion against the libellers? Because the government sits secure, anchored in the affections of the people, and laughs at liberties of speech which would throw our oligarchs into an agony of terror.

What a lesson does the political history of this country teach, since the French war, begun in 1795? From that time down to 1822, a period of twenty-seven years, we had at short intervals a perpetual succession of Insurrection Bills, Seditious Meetings Bills, Disarming Bills, Blasphemous and Seditious Libel Bills, and Habeas Corpus Suspension Bills! For more than a third of that period the boasted liberties of Britain, the maintenance of which is the very end of our government, had no existence! Every

three or four years our ministers were "saving the constitution," that is, they were hanging some few poor creatures, and banishing some scores or hundreds more, to avoid the necessity of reforming parliament.* If the facts of that eventful period were submitted to some powerful and elevated mind, unbiassed by our passions, to a Montesquieu or a Locke, what judgment would he pronounce? He would say, that during these years, there was a sort of civil war between the oligarchy and the people, a long and inveterate struggle, in which the one contended for their natural rights, and the other for their acquired privileges, and in which the dominant party, instead of yielding to the just demands of the other, silenced its complaints by force and terror. We would put a few questions to any candid liberal Tory. *First*, Whether such a reform as the legislature have now passed, might not have been safely granted in 1796, even admitting that many reformers then entertained visionary notions? *Second*, Supposing it had been then granted, whether the suspension of the Constitution for one-third of the long period referred to, with all its dismal consequences, of insecurity, alarm, commercial distress, bitter intestine divisions, imprisonments, and banishments without number, and not a few sanguinary executions,—nay, whether the Irish rebellion, with its bloody and disgraceful scenes,—might not have been avoided? *Third*, Whether in these circumstances, all the cruel inroads alluded to on the properties, liberties, and happiness of the people, were not a heavy and unnecessary evil inflicted on us by the pride, cupidity, and injustice of the burgh-holders? We say then with confi-

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* It is another beautiful trait in the history of the American government, that it has never shed a drop of human blood, nor banished a single individual for state crimes! No renegade minister grows immortal there by "saving the constitution," and and crushing the "hydra of Jacobinism," at the expense of human blood and human happiness. It is delightful to find, that the more popular a government grows, the milder it becomes; and that the glory of dispensing with the services of the hangman in political affairs, was reserved for the first government erected and conducted by the people;—by those whom the planners of our bloody treason and sedition laws chose to designate as "a ferocious rabble!"

dence, that our domestic troubles for the last thirty-five years have all been the consequences of a struggle between the oligarchy and the people, in which the latter were certain ultimately to prevail; we say, too, that these troubles would have been prevented, had the burgh-holders made concessions to the people in 1796; and we say, that unless the Reform Bills had been carried, we must have looked to an interminable renewal of the same evils, or to convulsions which it is fearful to contemplate.

Scotsman.

SECTION III.

BRITISH ARISTOCRACY, AND THE HOUSE OF PEERS.

BEFORE entering on the more serious details of our present subject, we cannot help pausing a moment, on the threshold, to felicitate ourselves and readers on the triumphs already achieved by the progress of knowledge. Three centuries are only a step in the history of nations, yet, within that period, how many fictions of feudality and priestcraft have been dissipated, and which are now only reverted to as sources of amusement, like the delusions of witchcraft and demonology. Only think of the supremacy of the clergy in the fifteenth century, when they enjoyed almost impunity for every crime, by exemption from the secular jurisdiction. It strikingly demonstrates the influence of mind over ignorance; for ecclesiastics, at that era, as much excelled the laity in mental attainments as in the magnitude of their possessions. Such pre-eminence is either lost or fast disappearing; in science and information they are manifestly behind other classes of the community; their moral influence is insignificant; the chief advantages they retain are their revenues, and the permanent enjoyment of these not being founded on any claim of right or social utility, public conviction has long since decreed against them, and the general verdict waits only to be carried into execution.

Among the fictions of regality, the most preposterous

was the claim of *divine right*, which has become too common-place a drollary even for mirth. Still it cannot be forgotten, that so recently as the last of the Stuarts, this dogma had many disciples, and some remains of this singular faith are now to be found. An attempt has been made to erect a new idol in the pretensions of legitimacy: but, in an age of discussion, imposture cannot long maintain its ground, and this was soon trampled under foot. Previously to the introduction of this idolatry, the British had shown their contempt for hereditary right, by the transfer of the crown to the Prince of Orange; the French, by their choice of a patriot king in the person of Philip I.; and the non-interference of the European powers in the mighty movement of 1830, has put an everlasting seal on this species of secular superstition.

Let us next advert to the fictions of the third estate:—by some accident, the British Aristocracy have contrived to retain a greater proportion of their ancient endowments than any other privileged order of the community. How has this happened? We shall try to explain. *First*, The British nobility had the good sense to give up in time a portion of their more revolting usurpations, by which they have been enabled to preserve entire, in a more palmy state of enjoyment, and for a longer term, the remainder, than any similar class in Europe. *Second*, At an early period of our annals, they obtained a hold on popular support, by aiding the people in resisting the encroachments of the clergy, and the prerogatives of the crown. And latterly, they have contrived—a portion of them at least—to delude a considerable number of superficial, but influential people, with a profession of liberal principles, and to persuade them that there is between them a community of object and advantages. However, all these sources of influence are losing their power. For what services the Aristocracy ever rendered to public liberty they have long since been paid a hundred-fold. Their pretext of identity of interest or principle, with any section of society, has been fully exposed; so that, we conclude, the proper period has arrived for calling upon them to produce the charter of the immunities they still retain. Like other privileged classes, they have been compelled to surrender some of their pretensions, and the era, we appre-

hend, has arrived, when they must prepare to surrender a great deal more.

There was a time, as every body knows, when LORDS were petty kings on their domains. They had their dungeon-castles, in which they could, at their own arbitrary will, torture, imprison, and even execute, their fellow-creatures. They could, when it suited their sovereign pleasure, sally forth on the public highways, and, with impunity, rob and maltreat whatever luckless traveller they happened to meet. They had even immunities still more revolting to human feeling. One, it is true, can hardly bring the mind to believe that such monstrous usages as those which gave rise to *borough-English* and *child-wit* ever existed; yet that they did is unquestionable, and the memorials of these customs, subsisting in the borough of Stafford, in the county of Essex, and other parts of the kingdom, place the fact beyond dispute. By the former usage, the lord claimed the trifling perquisite, on the occasion of a marriage on his estate, of sleeping the first night with the bride; and the latter designates a penalty which a woman had to pay who had suffered herself to be begotten with child without the lord's permission. Thank heaven our *seigneurs* have abated something of their ancient privileges; still the bare knowledge that such usages once existed—that they are associated with the *name*—is sufficient to make the mere titles of lord, baron, and duke, an offence—an insult to human reason—an abomination—which modern and civilized Europe ought no longer to tolerate.

Having adverted to a few of the ancient impostures and usurpations, chiefly to shew to what a depth of degradation human nature may be reduced, we shall proceed to illustrate the immunities and advantages enjoyed by the Aristocracy, and which they have been enabled to arrogate and maintain by a monopoly of political power. It is a subject of vast importance, and one, we believe, when fairly placed before our countrymen, about which there will hardly exist diversity of opinion.

In contemplating the British government, one peculiar feature may be remarked in every branch of our civil and ecclesiastical polity: in each branch there is an entire departure from the original object of its institution. In the ecclesiastical state, no such thing as clerical sinecurists was

formerly known; every order had some duties to discharge, for which they received their incomes: but now we find that the Episcopal, dignified, and one-third of the parochial clergy receive FOUR or FIVE MILLIONS annually, for which it is hard to say any service whatever is rendered to society. The House of Commons, originally intended to represent the property, intelligence, and population of the state, had for a long period become the mere organ of the Aristocracy; who, according to the constitution, ought not to have the least influence over its deliberations. The executive exhibits a similar dereliction, from its civil and military duties: and, lastly, in the House of Peers, we find a similar revolution; the dukes, earls, barons, and different classes of which this order consists, had all, formerly, as their names imply, important duties to discharge in the commonwealth.

The object of reform is not to destroy the established churches, pull down the two Houses of Parliament, nor invade the rights of the Crown; but to restore, as far as the altered state of society will allow, those different orders to the exercise of their legitimate authority.

Of the different innovations on the ancient system, there is none more flagrant than that on the Aristocracy; it has swallowed up not only the rights of the people, and the prerogatives of the Crown, but also the immunities of the church. At no former period of history was the power of the Aristocracy so absolute, nor did they enjoy a tithe of their present advantages. During the Norman kings, and the first kings of the house of Plantagenet, down to the passing of *Magna Charta*, though the power of the Crown, in many instances, proved but a feeble barrier to the encroachments of the barons, yet, when united with the influence of the clergy, it was at all times able to set some bounds to their authority. After the passing of the *Great Charter*, the growth of manufactures, and the diffusion of knowledge among the people, gave rise to the Commons. This order, unknown to the preceding period, gradually rose into great importance, and ultimately became able not only to prescribe bounds to the Aristocracy, but also to the Monarch. Under the tyranny of the Stuarts, the Commons brought one monarch to the block, and abolished the House of Peers. But its ascendancy was of short duration. The return of Charles II.—the restoration of the

rotten boroughs, which had been struck out of the representation during the protectorship of Cromwell, to the right of returning members of parliament,—the introduction of parliamentary corruption in the reign of Charles II.—more systematically and openly practised under William III. and perfected under the administration of Walpole, in the reign of George II.—completely annihilated the powers of the Commons, and gave to the Aristocracy its uncontrolled and irresponsible ascendancy.

Having obtained the power, the Aristocracy has exercised it as uncontrolled power usually is exercised, namely, solely for their own advantage: they have rid themselves of what duties were anciently annexed to their order, and monopolized nearly all the honours and emoluments of society.

The ancient nobility had not only to provide a sufficient military force for the defence of the kingdom, but they had also the administration of justice, the coining of money, and, in short, the whole internal government of the country committed to their care. On these conditions, their estates were originally granted. Their estates continue in their hands; but as to the duties annexed, they have placed them on the shoulders of other classes of the community. It is the Commons now, who either discharge, or pay for being discharged, all the duties of the state. If we only examine the list of taxes, as we shortly intend to do, we shall find that the aristocracy have, comparatively, exempted themselves from impost, while the burden falls exclusively on the people. The duties imposed by the corn-laws are a tax paid directly for the support of this order; while, with the exception of the land-tax, a trifling impost, all other duties, the assessed taxes, excise, customs, stamps, post-office duties, fall with disproportionate weight on the middling and working classes, and scarcely touch the massive incomes of the nobility.

This is one of the great evils resulting from the political supremacy of the aristocracy. Instead of bearing the burden of taxation, which, in fact, is the original tenure on which they acquired their estates, they have laid it on the people. Nothing can be more unjust and oppressive. The comforts of one class ought never to be encroached upon, while another class remains in the enjoyment of redundant luxuries. It is the legitimate object of good go-

vernment to prevent the extremes of wealth and indigence, and diffuse equally, through all classes, the bounties of nature. But the system of the constitution-mongers is the reverse of this principle. It weighs chiefly on want and penury; it tramples on those already depressed; and crushes, almost to annihilation, the most useful classes, by the unceasing levy of its imposts.

It is not our purpose to investigate the utility and origin of an hereditary privileged class. It is, no doubt, a questionable supposition—not supported at least by the cotemporary illustration of many noble families—that wisdom and fitness for the administration of national affairs are inheritable endowments. Besides which, men seldom take pains to cultivate superfluous acquirements; consequently, it is a strong objection to hereditary honours, that those born to them have no necessity for cultivating the virtues by which, perhaps, they were originally acquired. A principle motive for the institution of hereditary rights has ceased to be of weight. Originally it was intended to guard against disputed successions, and prevent the division of powers essential to the security of communities and property. But the introduction of the elective and representative principle in governments, the more general diffusion of intelligence, of habits of order, of respect for individual claims, has rendered these precautions no longer essential to the maintenance of social institutions. Leaving, however, the general discussion of the question, we shall now proceed to notice the real and practical grievances entailed on the Commons of Britain, by the advantages and immunities of the Aristocracy.

SECTION IV.

RIGHT OF PRIMOGENITURE AND ENTAILS.

For the last ten years a great deal has been written and said, and justly too, on the evils of monopolies; but hardly any one has touched upon the monopoly of land. Many,

even of the Aristocracy, have been zealous and persevering in their endeavours to establish unrestricted freedom in commerce; they perceived the advantages of liberty in the exchange of commodities, but they have been indifferent or silent on the advantages of liberty in the exchange of the soil. Yet, what is the right of Primogeniture and Law of Entail, but a monopoly as grievous and pernicious as that of the Bank of England and East India Company? What right had an assembly of half-civilized men, some five hundred years ago, to tie up the great estates of the country in perpetuity; to enact, that whatever changes of society might intervene, they should never be subdivided nor severed, from their lineal heirs as long as they endured? Was not this creating a monopoly? Did it not interpose insuperable obstacles to the sale and division of property—keep up the price of land to an artificial height—impede fair competition—limit the market of buyers—and impose restrictions on the freedom of those who might be disposed to sell?

Moreover, the statute *De donis*, or of "Great Men," as it is frequently called, perpetuated a LANDED INTEREST; that is, an order of men with interests distinct from those of the community, and who, armed with the power of the state, have been able to treat with special favour their peculiar class, by imposing upon it lighter burdens, by protecting it from competition, and other expedients which tended directly to their own greatness and emolument, by the sacrifice of the general welfare.

The motives which originated this feudal institution, as before observed, have, in great part, ceased to exist. In the disorderly era of Edward I. the right of the first-born to the undivided possession of his ancestor, was a *law of peace;* and, by consolidating indisputably the power which the entire property gave in the hands of a single person, it was a *law of security*. To divide the inheritance was to ruin it, and to expose the dwellers upon it, who depended on the proprietor for protection, to be oppressed and swallowed up in the desolating incursions of neighbouring and ferocious rivals. In the existing state of society, no such pretexts can be urged. The poor as well as the rich enjoy personal security, and the owner of a single acre of land is as secure in the enjoyment, as the owner of 100,000. The right of primogeniture, however,

still subsists; and as, of all institutions, it is the most adapted to flatter the pride of the great families, it will be tenaciously upheld by the Aristocracy. In other respects it is an unmixed evil; it is even injurious to the real interests of the land owners; for nothing can be more contrary to the welfare of a numerous family than a right which, in order to "enrich one, beggars all the rest of the children;" and reduces them to the alternative of obtaining subsistence either as mendicants or depredators on the bounty and involuntary contributions of the community.

The same reasoning applies to ENTAILS, which are the natural consequence of primogeniture. They were introduced to preserve the lineal succession of which primogeniture first gave the idea, and to hinder any part of the original patrimony from being conveyed out of the proposed line, either by gift, devise, or alienation, either by the folly or by the misfortune of any of its successive possessors. When great landed estates were a sort of principality, such curtailed inheritances might not be indefensible. Like what are called the fundamental laws of some communities, they might frequently hinder the security of thousands from being endangered by the incapacity or extravagance of one man. But, in the existing state of Europe, when property is so well secured, when small as well as great estates derive their security from inviolable laws, nothing can be more absurd than such defensive restrictions. They are founded upon the most absurd of all suppositions, the supposition that every successive generation of men have not an equal right to the earth, and to all that it possesses; but that the property of the present generation should be fettered and regulated by barbarians, who died centuries ago. Entails, however, are still respected in Britain; and it is only in particular cases, by means of legal fictions, prompted by the spirit of commerce, and new views of social expediency, that estates tied up by them can be alienated. They are deemed essential to the maintenance of the monopoly of the aristocracy in the enjoyment of political power, honour, dignities, and offices; having usurped many advantages over their fellow-citizens, lest their poverty should render them ridiculous, it is thought reasonable that they should have others. It is, however, an oppressive and indefensible grievance. In the present state of society, there is no

utility in guaranteeing to particular families the perpetual enjoyment of vast masses of property—that this property shall not be liable to the ordinary vicissitudes of life—that it shall not, like personal estates, either be devisable or saleable—and that all, except members of the privileged order, shall be irrevocably interdicted from ever becoming proprietors of the soil—of that soil which is the common inheritance of the whole community.

Other evils result from this feudal institution. Primogeniture enriches one, and leaves all the other members of a family destitute. Hence they are thrown, like mendicants, on the public for support; but they are unlike mendicants in this—that the public has no option, whether they will support them or not. The Aristocracy, usurping the power of the state, have the means, under various pretexts, of extorting, for the junior branches of their families, a forced subsistence. They patronize a ponderous and sinecure church-establishment; they wage long and unnecessary wars, to create employments in the army and navy; they conquer and retain useless colonies; they set on foot expensive missions of diplomacy, and keep an ambassador or consul, and often both, at almost every petty state and every petty port in the world; they create offices without duties, grant unmerited pensions, keep up unnecessary places in the royal household, in the admiralty, the treasury, the customs, excise, courts of law, and every department of the public administration: by these, and other expedients, the junior, as well as elder branches of the great families are amply provided for out of the taxes. They live in profusion and luxury; and those by whom they are maintained alone subsist in indigence and privation.

It is only in the less civilized states of Europe, in Hungary, Bohemia, Poland, and Russia, that primogeniture is retained. Countries enjoying the benefits of political regeneration have abolished this remnant of feudality, and introduced the law of equal partibility. The happy effects of this reform are visible in the condition of France and the Netherlands; in the greater harmony subsisting among the different classes of society—in the absence of the miserable jealousy and exclusiveness that embitter domestic intercourse in England—in the public spirit, unanimity, and personal independence of the inhabitants, produced,

no doubt, by a conviction of common interests, reciprocal obligations, and the equal participation in all the advantages and enjoyments of the social state.

SECTION V.

PRIVILEGES OF PEERS.

THERE are some other laws originating in the same aristocratic spirit, and directed to the maintenance of similar exclusive privileges as those described in the last Section. Such are the Insolvent Laws. Lest the dignity of a peer should be violated, his person is privileged from arrest for debt. Why should this be tolerated? He is not ostensibly entrusted with representative functions, like the members of the Lower House. He represents only himself, with the exception of the sixteen Peers of Scotland and the twenty-eight Peers of Ireland. Why, then, should his person be protected from imprisonment, if he is so inexcusably improvident, with all the advantages he enjoys, as to incur debts he cannot pay? A Scots Peer, though not one of those sitting in parliament, is privileged from arrest, as appears from the case of Lord Mordington. This lord, who was a Scots Peer, but not one of those who sat in parliament, being arrested, moved the Court of Common Pleas to be discharged, as being entitled, by the Act of Union, to all the privileges of a Peer of Great Britain; and prayed an attachment against the bailiff; when a rule was granted to shew cause. Upon this, the bailiff made an affidavit that, when he arrested the said lord, he was so mean in his apparel, as having a worn-out suit of clothes, and a dirty shirt on, and but sixteen pence in his pocket, he could not suppose him to be a Peer of Great Britain, and, therefore, through inadvertency, arrested him. The Court discharged the lord, and made the bailiff ask pardon.

A Peer, sitting in judgment, is not required to give his verdict upon oath, like a commoner, but upon his *honour*.

What a stigma on the other classes of the community! Just as if a Peer alone had *honour*, and all others were base perfidious slaves, from whom truth could only be extorted when they had been forced into the presence of their Creator.

A member of the Lower House is the deputy or representative of others, and cannot delegate his powers, but a Peer represents only himself, and may vote by proxy on any question, even though he has never been present to discuss its merits.

If a thief breaks into a church, and steals the surplice or cushion, it is not like stealing a leger or cash-box from a shop or counting-house—it is *sacrilege*. If a man scandalizes a Peer, by speaking evil of him, it is not common scandal, it is *scandalum magnatum*, that is, great scandal, subjecting the offender to indefinite punishment.

If a Peer jobs in the funds, as many of them do; or if he gets up bubble companies, as some of them have done, to dupe credulous people; and if he involves himself in debt by these fradulent practices, you cannot imprison him to enforce payment; neither can you make him a bankrupt, and sequestrate his estates. The property of a Peer, like his person, has a *dignity* about it, and must not be violated. You may knock down Nathan Rothschild, though he is a very rich man, or a worshipful alderman, or even a right honourable lord mayor, and the justices will only charge you a few shillings, for the liberty you have taken: but, if you knock down a Peer, though he is ever so insolent, it is almost as bad as murder.

Peers being great landowners, therefore, their land, as well as their persons, enjoy immunities which do not attach to chattel property. A noble lord may run into as much debt as he pleases, and then, with impunity, defraud all his creditors. He may live in the utmost profusion; he may borrow money to support his extravagance, or for providing portions for younger children, making the most solemn promises, or even giving his *written* engagement to repay it; or he may raise loans, and with these loans buy houses and land, and when he dies leave the houses and land purchased with this borrowed money to whom he pleases: and in all these cases the lenders who have trusted to the *honour* of a Peer have no power to touch a shilling worth of his real estates.

These are a few of the privileges of Peers; we shall proceed to illustrate other results of aristocratic legislation.

SECTION VI.

ARISTOCRATICAL TAXATION.

THE annual income of a nation consists of the united produce of its agriculture, manufactures, and commerce. Taxes are a certain proportion of the annual income levied for the public service. In other words, they are a certain proportion of the income of the labourer, the farmer, the merchant, and manufacturer, abstracted for the use of government. The portion of income the different classes can appropriate to this purpose, without creating national poverty and misery, is limited. If taxation be carried beyond this limit, the necessaries of life of the labouring classes will be abridged, the profits of trade and agriculture will be so far reduced, that capital will diminish, or cease to be employed, or transferred to countries where it will be more productive. Britain, in the privations of the people—the protracted stagnation of industry, only interrupted by transitory gleams of prosperity—the embarssments of the agricultural, commercial, and manufacturing classes—the emigration of capital—and the inability of the farmer, unaided by the artificial high prices produced by corn-laws, to cultivate the soil—exhibits all the evils of a country suffering from the pressure of overwhelming taxation.

Some, indeed, contend that taxation has no share in producing these calamities. The fallacy of this will easily appear. Taxation being a certain portion of the income of every individual, the evils it produces will be obvious, by considering the different effects produced by this portion of the annual income remaining in the hands of individuals, and being paid to government. In the former

case, the income of every individual would be increased, the labourer and artizan would have a greater command over the necessaries of life; the profits of the farmer, merchant, and manufacturer augmented; their capital increased, consequently commerce and the means of creating employment extended. But this is not all; supposing public burdens reduced, there would be fewer placemen, pensioners, collectors of taxes, soldiers and sailors to be supported. These classes might be returned to the plough or the loom, and occupied in the pursuits of commerce, and the cultivation of the earth. There would be no want of capital for these undertakings. The abolition of taxes would create capital. In short, the general effect of a reduction of taxes is this: the power of production and consumption, or, in other words, the quantity of employment and the means of subsistence are augmented.

It is a favourite dogma with some, especially those who live on the public, that taxes return to those from whom they are collected; which is about as good as the defence of a housebreaker, who, convicted of carrying off a merchant's property, should plead he did him no injury, for the money would be returned to him in purchasing the commodities he dealt in. But it may be asked of those who maintain this position, in what manner are the taxes returned? Certainly, taxes are paid in money; this money is again paid to the servants of government; these again pay it to the cultivator of the soil and manufacturer; and in this manner, it may be said, that taxes return to those from whom they were collected. But on this latter part of the operation it must be observed, that before either the cultivator or manufacturer can re-possess himself of his portion of the taxes, he must part with a certain quantity of his commodities in exchange; so that tax-paying revolves itself at last into the industrious giving a certain portion of their produce for the maintenance of government.

Here is the true source of the privations and embarrassments of the country. The portion of every man's produce levied for the support of government, of pensioners, placemen, sinecurists, and standing armies, has invaded the funds necessary to the comfortable subsistence of the labourer, and for carrying on the trade, commerce, and agriculture of the kingdom.

Nothing can demonstrate more incontestably the necessity of the different interests in society being represented in the general government than the course of fiscal legislation. The political power of the state we need not repeat nor explain is, in this country, consolidated in the aristocracy. If we only glance at public burdens, we shall see with what admirable adroitness they have been distributed, so as to press as lightly as possible on those who imposed them, and with disproportionate weight on those who had no share in their imposition. Does not this show better than all the general reasoning in the world, the utility of universal representation; otherwise, whatever interest is unprotected will assuredly be sacrificed, and this injustice will be perpetuated by the dominant party, however exalted this dominant party may be by birth, by station, by education, by wealth, or other adventitious circumstance.

Let us appeal to facts in illustration of this principle. The landed interest is the primary interest of the Aristocracy; whatever tends to enhance the value of land or its produce tends directly to augment their incomes. Hence, their leading policy has been to protect agriculture, to encourage husbandry, by abstaining from burdening it with imposts, to impose no additional tax on land, and above all things to secure the *home market* against competition from abroad. For this latter purpose they have passed laws the most unjust and outrageous; the importation of some articles they have absolutely prohibited; others they have loaded with heavy duties; so that they have been able to sell their own produce at a monopoly price.

The following list of articles of foreign production, and the import duties to which they are subject, will show to what extent the landowners have availed themselves of political power, to promote their own interests, by excluding foreign competition.

Bacon, per cwt.	£1	8	0	Cheese, per cwt.	£0	10	6
Beer, per 32 gallons,	2	13	0	Cucumbers, *ad valorem*, ...	20	0	0
Butter, per cwt.	1	0	0	Eggs, for every 120,	0	0	10
Bristles, not sorted, per lb.	0	0	3	Hay, per load, ...	1	4	0
Bristles, sorted, ...	0	0	4	Hair, cows and oxen, per cwt.	0	2	6
Cider, per ton, ...	21	10	0				

Hair-powder, per cwt.	£9	15	0	Peas, per bushel, ...	£0	7	6
Hops, per cwt.	8	11	0	Perry, per ton, ...	22	13	8
Hempseed, per quarter, ...	2	0	0	Potatoes, per cwt.	0	2	0
Hemp, undressed, per cwt.	0	4	6	Seeds, clover, hay, &c.	1	0	0
Lard, per cwt.	0	8	6	Spirits, foreign, per gallon (I. M.)	1	2	6
Madder, per cwt.	0	6	0	Rum, per gallon,.....	0	8	6
Mules and Asses, each	0	10	6	Tallow, per cwt.	0	3	2
Horses, each, ...	1	0	0	Tares, per quarter, ...	0	10	0
Oil, rape and linseed, per ton, ...	39	18	0	Timber, per load, ...	2	15	0

Wheat 16*s.* 5*d.* a quarter to 1*s.* according as the price rises from 61*s.* to 70*s.* a quarter.

Barley 13*s.* 10*d.* a quarter to 1*s.* according as the price rises from 32*s.* to 40*s* a quarter.

Oats 10*s.* 9*d.* a quarter to 1*s.* according as the price rises from 24*s.* to 31*s.* a quarter.

Beef, lamb, mutton, pork, sheep, and swine are prohibited to be imported, by 6 Geo. IV. c. 117.

While the landowners have been strenuously exerting themselves to close, hermetically, if possible, the home market against foreign agricultural produce, they have, with admirable consistency of policy, been, at the same time, endeavouring to throw it wide open for the admission of foreign manufactures. This places their conduct in a most conspicuous light. Surely, if a free trade in manufactures was for the benefit of the community, so was a free trade in the produce of the soil. But, then, our feudal Solons do not deal in cotton, nor silk, nor hard-wares; they are only dealers in corn, and that makes all the difference.

It is not a difficult problem to ascertain the annual burden imposed on the community by the corn-tax. It appears from the resolutions submitted to the House of Commons, session 1830, by Lord Milton, that the average price of wheat in this country, in the year ending February 1830, had been 64*s.* 2*d.* per quarter. The average price on the Continent and in America, during the same period, had been 46*s.* 3*d.* per quarter. Now, if there were no restrictions on the importation of corn, the price in Britain would be nearly the same as in Poland or in the United States; but, in consequence of the boroughmongers' tax, the price is about 20*s*, per quarter higher: so that, if the

annual consumption of corn by the community be forty-eight millions of quarters, they pay exactly so many pounds additional, in order to swell the rents of the land-owners.

A tax upon bread is the most oppressive and unjust that could be imposed on the industrious classes. A man with £50 a-year, consumes individually, as much bread as a man with £50,000, and, consequently, sustains as great an annual loss by the artificial enhancement of its price. All taxes on articles of ordinary consumption fall in the same disproportionate manner. They are like the fixed per centage on income, levied indiscriminately on every person, without regard to large or small revenues. Sugar, tea, and malt, are articles of general use; and the labourer and artizan contribute exactly in the same proportion as a lord on their individual consumption of those commodities. In fact, it is to duties of this description the Aristocracy have always shewn a marked partiality: the excise, it is known, being the most productive branch of the revenue. Mr Pitt used to say, that the high price of labour in England was chiefly from the excise; three-fifths of the wages of a poor man passing into the exchequer. But no such proportion of the incomes of the Aristocracy flow into the public treasury.

Yet it is the incomes of the landed interest, as we shall briefly illustrate, which form the most legitimate and unexceptionable fund for taxation. A person who employs himself in making a pair of shoes, or inexpressibles, adds nothing to the value of the leather or cloth beyond the price of his labour. Land, however, is a more profitable material to work upon; yielding not only a produce adequate to defray the expenses of its culture, but also a surplus: and this surplus constitutes the landlord's rent. But the soil of every country belongs to the people; consequently, the rent or surplus revenue it yields, is not so much the property of a particular class of individuals, as of the whole community. It follows that the land-owners are only so many *pensioners* or *sinecurists*, paid out of a revenue which originally constituted the sole fund out of which all the exigencies of state were provided. Instead of the "Lords of the Soil" taxing every article we eat or drink, and impeding, with vexatious imposts, every operation of industry, they ought to have laid a direct tax on rent, which would have been easily and economically col-

lected. They have acted quite the reverse. The land-tax continues to be levied at this day according to the defective valuation in the reign of William III.; and, in 1798, it was made perpetual at 4*s.* in the pound, on the inadequate estimate of the rental at the Revolution. In France the *foncier*, or land-tax, amounts to one-fourth of the whole annual revenue; in Britain it does not amount to a sixtieth part. The proportion of our excise, custom, and assessed taxes to similar taxes in France, is as forty-five to twenty; while the proportion of the public revenue of the former to that of the latter is as three to two.

Need we say any thing further to illustrate the tendency of aristocratic taxation, or the selfish purposes to which the political power of the Oligarchy has been perverted? Yes, we shall briefly add a few more facts.

When the income-tax was screwed up in 1806, lands and tenements were assessed at 2*s.* in the pound. Precisely the same assessment was laid on incomes arising from professions, trade, or other vocation. Thus was as heavy a tax levied on revenue not worth five years' purchase, as on revenue with thirty-years' purchase; in other words, the tax was *six times heavier* on the industrious, than on the unproductive classes of the community. A merchant, attorney, tradesman, or shopkeeper, whose income depended entirely on his personal exertions—which ceased at his death—and by savings from which he could alone make a provision for his children after his decease, was taxed six times to the amount of the landowner, by whom the burden was imposed—whose property was entailed, and protected from all liability for debts however extravagantly incurred.

If the Boroughmongers ever charge themselves with any burdens, they are always prompt to get rid of them the first opportunity, though they touch them ever so lightly, and have been rendered necessary by their own infatuated measures. Thus, immediately after the peace, before any reduction in the public establishments, or in the amount of the monstrous debt they had contracted, the income-tax, was abolished. Again, the duty on horses employed in husbandry has been long since repealed, but the malt-tax is still continued, and the beer-duty—the most unfair and oppressive of all duties—was only repealed last session of parliament.

From some duties the peerage is exempted altogether. A lord of parliament sends and receives all letters *free of postage;* he usually franks the letters of all his relatives and friends; he enjoys, also, the privilege of sending a letter from London by the post on *Sunday*—a sort of sabbath-breaking which would be considered impiety, or perhaps, blasphemy in another person.

It would be tedious to go through the whole roll of taxes, to shew how indulgent our legislators have been to themselves, and how unjust towards the rest of the community. If a lord, by inheritance, succeed to an estate worth £100,000, he has not a shilling to pay to government. If a rich merchant dies, and bequeaths as much to his children, they are taxed to the amount of £1500, or, if there is *no will*, to the amount of £2250. If a poor man buys a cottage for £10, he has 10*s.* or one-twentieth part of the purchase-money, to pay for a conveyance. If a nobleman buy an estate worth £50,000, the stamp-duty is only one-hundred-and-eleventh part of the purchase-money, or £450. A similarly unequal tax is incurred in borrowing *small* sums on bond or mortgage, while special favour is shewn to those who borrow *large* sums. If a man has eight windows in his house, he is assessed 16*s.* 6*d.*; if he has *one* more, he is charged 4*s.* 6*d.* for it. If a lord has 180 windows, he is charged £46, 11*s.* 8*d.*; and if he has *one* more, he is charged only 1*s.* 6*d.*; and he may have as many more additional windows as he pleases at the same low rate of assessment. If a poor man's horse, or his ass, pass through a toll-bar, there is something to pay, of course; but if a lord's horse pass through, provided it is employed on the lord's land, there is nothing to pay. If a cart passes through a toll-bar, loaded with furniture or merchandize, there is something to pay for the cart, and something extra to pay according as the wheels are broad or narrow; but if the cart is loaded with manure for his lordship's estate, the *cart is free*, and the wheels may be any breadth the owner pleases without liability to extra charges. If a poor man refreshes himself with a glass of spirits (though beer would be better for his health and pocket) he is taxed seventy per cent.; but if he takes a glass of wine, which is a lord's drink, he is only taxed seventeen per cent. Lords do not smoke, though they sometimes chew, therefore, a pipe of tobacco,

which is a poor man's luxury, is taxed 400 per cent. If a poor servant girl advertises for a place *of all work*, she is taxed 3*s*. 6*d*.; if a lord advertises the sale of an estate, he pays no more. The house-tax falls heavily on the industrious tradesman, but lightly on the lord and esquire; the former must reside in town, and occupy spacious premises, which make his rent large, and the tax being proportionate, it deducts materially from income, while the latter may reside in the country, occupy a fine mansion, and not be rented more than £50, per annum. Lastly, Lords and gentlemen may retire to Paris, Florence, or Brussels, for any thing they have to do, or any good they are capable of doing, by which they avoid house-tax, window-tax, and almost every other tax; but the tradesman and shop-keeper are *ad scriptæ glebæ*,—they must stick to their counting-houses and ware-houses, and expiate, by toil and frugality, the follies and extravagance of their rulers.

These are a few specimens of our fiscal regulations: we should never have done, were we to notice all inequalities and oppressions resulting from aristocratic taxation. What we have said must, we imagine, domonstrate, practically, to merchants, copyholders, shopkeepers, tradesmen, and the middling and working orders generally, the advantages of having a *friend at court*—that is, of having political rights—that is, of having real representatives—that is, of not being taxed without their consent—that is, of the value of reform in the Commons House of Parliament, instead of leaving public affairs, as formerly, to the exclusive management of noble lords and their nominees.

SECTION VII.

INCOMES OF THE ARISTOCRACY.

We are not partizans of Agrarian laws, and we believe the number of political reformers of any sect is extremely di-

minutive who wish to see, or who ever expect to see a Spenceean division of property. Industry, perseverance, sobriety, and prudence will mostly acquire wealth, and deserve to acquire it, and to enjoy it, and to transmit the enjoyment, after death, to those they most esteem. These are elements of society, which few, indeed, would ever wish to see violated. They are primary laws of social organisation, of which every one almost instinctively feels the justice and utility.

Neither are there many, we apprehend, who wish to abolish civil distinctions. A legislator sufficiently wise and experienced to discharge his high functions; a judge or magistrate qualified by probity and learning to adjudicate civil and criminal wrongs; a great public officer meriting and filling a high civil appointment; or a great commander, able and brave, to direct the military power of the state: these are all distinctions which every one must respect and venerate; and if it be necessary to distinguish the holders by other symbols than the official titles—by a velvet cap, a coronet, or ermined robe, with two, three or four guards, or a golden epaulette—they will respect and venerate these too. Nay, there are not many, we believe, who care because there is "my lord" this, or his "grace" of that, or the "most noble" t'other thing; these are not matters of pith and moment—they are too childish, we would hope, either to mislead the beholder, or corrupt the possessor.

It is not civil distinctions, but the nuisance of civil usurpations the just and enlightened wish to see abated. An aristocracy of office, of acquirement, and desert, is a natural aristocracy; but an aristocracy of birth is a feudal barbarism which honours the shadow in place of the substance, and dissevers merit from its just reward. Hereditary right to property we can comprehend, but hereditary right to be legislators, bishops, post-captains, military commanders, and secretaries of state, shocks common sense. One is a private immunity, transmissable from father to son; the other are public functions, which can never be alienated to any order of men; they belong to the living, and cannot be bequeathed and regulated by the dead; they are adjuncts to the present not to a past generation.

We have thought it advisable to preface our present subject with these preliminaries, lest out purpose might be

misconstrued. Our intention is to say something of the possessions of the Aristocracy, and we were apprehensive lest it might be imagined we meditated *spoliation*, or beheld, with jealous eye, the magnitude of their acres and rental. All such constructions we disclaim. It is nothing to us, nor is it much to the public, that the marquis of Stafford has £360,000, per annum; the duke of Northumberland, £300,000; the duke of Buccleugh, £250,000; and that there are other dukes and marquesses with nearly as much. Such magnificent revenues are not enjoyed by noblemen alone. There are lords of the loom in Lancashire and Yorkshire who have accumulated incomes nearly as great, and, perhaps, not more humanely nor honourably. But, if such masses of wealth be evils, they are evils which would remedy themselves, were they not fostered and upheld by vicious legislation. Abolish the laws which consecrate these vast accumulations, and minister to family pride and personal caprice, and the mere diversities in the characters of succeeding possessors would soon disintegrate the great properties.

It is neither the mansions nor parks of the peerage that excite popular cupidity; it is the hereditary monopoly—not by constitutional right, but usurpation—of the political franchises of the people which begets hostile feelings; because it enables the privileged usurpers to tax others and not themselves—to engross all public honours, offices, and emoluments—in a word, to make all the great social interests of a vast community, of which, in number, intellect, and even wealth, they constitute a most insignificant portion, subservient solely to the purposes of their own vanity, folly, indulgence, and aggrandizement. Here is the national grievance; and let us inquire whether, from the adventitious circumstance of property, they have any claim to inflict this great wrong on the community.

The most authentic data for ascertaining the distribution of the property and revenue of the different classes of society, are the returns under the property-tax. But it is to be observed, that these returns only include the annual value of property liable to the tax, and, consequently, do not exhibit the annual value of the smaller incomes, nor the amount of that great mass of revenue accruing from the wages of labour. Bearing this in mind, we shall submit a statement of the annual income arising from pro-

perty, professions, public annuities, profits in trade, pensions, and offices: and the amount of the gross assessments on the several descriptions of revenue arising from the different sources of income. The return is for the year ending 5th April 1815—the last of the income-tax—and is abstracted from the Parliamentary Paper, No. 59, Session 1823. We have omitted shillings and pence, which make some trifling inaccuracies in the totals, and, to render the statement more intelligible, have added the titles of the schedules and rate of assessment from the 48 Geo. III. c. 65. The rise in the value of the currency has probably depressed the nominal amount of incomes below the cotemporary increase in produce and industry; but as this change affected all classes alike, with the exception of annuitants, and those enjoying fixed money-payments, it has not altered the relative *proportion of revenue*, as exhibited by the returns of 1815, possessed by the different divisions of the community. Here follows the statement:—

Schedules.	Annual Value.	Gross Assessments.
A.)—Lands, tenements, and hereditaments, for every 20*s.* of the annual value 2*s.*	£ 60,138,330	£ 5,923,486
(B.)—Occupiers of lands, dwelling-houses, and tenements, 1*s.* 6*d.*; Scotland, 1*s.*	38,396,143	2,734,450
(C.)—Annuities and dividends arising out of any public revenues, 2*s.*	28,855,050	2,885,505
(D.)—Increase and profits from professions, trade, or vocations, 2*s.*	38,310,935	3,831,088
(E.)—Public offices, pensions, and stipends, 1*s.* 6*d.*	11,744,557	1,174,455
	£ 177,451,015	£ 16,548,984

The most important item for our purpose is the property charged in schedule A. consisting of lands and tenements which were assessed on the rack rents, and profits from mines and quarries. Under this head the assessment charged on land, houses, mines, &c. appears, from the Parliamentary return, to which reference has been made, to have been as follows:—

Lands chargeable under the general rule,	£39,405,705
Houses so chargeable,	16,250,399
Particular properties chargeable on the annual profits, viz. tithes, manors, fines, quarries, mines, iron-works, and non-enumerated profits,	4,473,224
	£60,138,330

From this it appears, that the entire rental returned in the last year of the property-tax was £39,405,705, and which has been reduced since the peace, in the opinion of Mr Lowe, to twenty-five millions. Now, the question is, what portion of this rental is received by the four hundred members of the *House of Peers*. The Scots and Irish Peers, to the number of one hundred and eighty, who only sit in the Upper House, by their representatives, we exclude from consideration; the object being to get at the incomes of those who exercise the political power of the empire. For this purpose, it will be necessary to analyze the component parts of the landed interest, and separate the Peers from those who share with them the territorial revenues of the kingdom.

The number of Baronets is 658, and many of them enjoy landed incomes as great or greater than Lords. Then there is the *squirearchy*, more numerous than Pharoah's host, who draw freely from the surplus produce of the soil. To these must be added the great loan-contractors, merchants, manufacturers, and others, appertaining to the monied, mercantile, and trading classes, many of whom possess extensive estates, and who rival, and, in part, have superseded the ancient nobility. Dr Colquhoun supposed the gentry, and the classes we have enumerated, as enjoying large incomes, to amount to 46,861, and their incomes, from land and other sources, to amount to £53,022,110. Besides which, allowance must be made for the estates of the younger children of noble families, and for lands appertaining to lay and ecclesiastical corporations, and to charitable foundations. From all these considerations we should conclude that the rental of Peers, sitting in Parliament, does not exceed *three millions, per annum*. Some of the members of the Upper House, we are aware, enjoy vast revenues, but the average income of each, from the soil, does not exeeed £7,500.

Mr Hallam says, the richest of the British aristocracy

derive their possessions from the spoils of the Reformation. He ought, also, to have added the spoils of the crown-lands, for they have helped themselves freely to the possessions of both church and king, as well as the people. The Bentinck, the Pelham, and Petty families inherit vast properties from leases and alienations of the royal domains. The houses of Cavendish and Russell, it is well known, made their acquisitions at the Reformation. The foundation of the Fitzwilliam estates was advantageous purchases at the same era. The Lonsdales have dug out their wealth from coal-mines. The Buccleugh property has been an accumulation from heiresses, including also, in England, the possessions of the duke of Montague. The Gower estates have, also, mainly come by marriages; but the grand augmentation was by the canal-property of the late duke of Bridgewater, to which are now to be added the Sutherland estates of the present marchioness—a principality in themselves. The Grosvenor riches came mainly from an heiress, who brought, in marriage, the London building land, about two generations back. The Northumberland estates are, principally, the old feudal inheritance of the Percys. In the whole Peerage there are only eighteen commercial families, and these form the only houses which can be said to have acquired their wealth by habits of peaceful and honest industry.

Granting, then, that by means of marriages, and other favourable circumstances, some few of the nobility have accumulated vast revenues, still there are others whose poverty is notorious, and, altogether, they do not enjoy a landed revenue exceeding three millions, per annum. What right, then, it may be inquired, have an Oligarchy of 400 persons, possessing so small a share in the general wealth of the community, to monopolize political power. Three millions, per annum, is not one-hundredth part of the annual revenue of the kingdom. Yet, to a body of men, having so diminutive a stake in the general weal, is confided the destinies of the empire.

The revenues derived by the Peerage from the taxes and church revenues have been estimated to amount to £2,825,846, per annum, being nearly equal to their territorial revenue. This vast addition to their legitimate income, they have been able to acquire from having usurped the franchises of the people. Whether the sum they draw

from the public is more or less, it is not our present purpose to investigate. Our object has been to demonstrate, that the wealth of the Peerage, of which they can justly claim the possession, is insignificant, when compared with the entire wealth of the country; and that the aristocracy, by direct or indirect means, exercising the political power of the state, the government, as lately constituted, neither represented the number, intellect, nor property of the community. The two former propositions have been often demonstrated, but the latter was a desideratum in general information.

There is another mode of viewing the distribution of the revenues of society, which it will, perhaps, not be unpleasing to our readers, if we submit to their consideration. The whole social fabric rests upon the industrious orders, and, we believe, they are only imperfectly acquainted with the magnitnde of their power and resources. The late Dr Colquhoun, who was a bold, but, as experience has proved, a very shrewd calculator, formed an estimate of the number and income of the different classes into which the community is divided. From the date exhibited by this gentleman, in his "Treatise on the Resources of the British Empire," we have drawn up a statement which will afford a curious insight into the subject about which we are occupied. It is hardly necessary to remark, that the Doctor's conjecture of the incomes of the clergy, are greatly below the truth. Indeed, it is to be observed, that all statistical tables, drawn up prior to the restoration, of a metallic currency, are chiefly useful in shewing *proportions*, and do not express the present numerical value of either income or property.

Different Classes of Society, and their respective Incomes.

DESCRIPTION OF PERSONS.	No. of Persons.*	Total Income of each Class.
ROYALTY, ...	300	£ 501,000
NOBILITY, ...	13,620	5,400,000
GENTRY,—including baronets, knights, country gentlemen, and others having *large* incomes, ...	402,535	53,022,500

* Number of Persons, including their Families and Domestics.

CLERGY:—Eminent clergymen,.....	9,000	£ 1,080,000
Lesser, ditto, ...	87,000	3,500,000
Dissenting clergy, including Itinerant Preachers, ...	20,000	500,000
STATE AND REVENUE,—including all persons employed under government, ...	114,500	6,830,000
PENSIONERS,—including those of Greenwich, Chelsea, and Kilmainham Hospitals, ...	92,000	1,050,000
LAW: Judges, barristers, attorneys, clerks, &c.	95,000	7,600,000
PHYSIC:—Physicians, surgeons, apothecaries, &c.	90,000	5,400,000
AGRICULTURE:—Freeholders of the better sort, ...	385,000	19,250,000
Lesser Freeholders, ...	1,050,000	21,000,000
Farmers, ...	1,540,000	33,600,000
TRADE:—Eminent Merchants, ...	35,000	9,100,000
Shopkeepers, and tradesmen retailing goods, ...	700,000	28,000,000
Innkeepers and publicans, licensed to sell ale, beer, and spirituous liquors, ...	437,000	8,750,000
WORKING CLASSES:—Agricultural labourers, mechanics, artizans, handicrafts, and all labourers employed in manufactures, mines, and minerals, ...	7,497,531	82,451,547
Paupers, vagrants, gipsies, rogues, vagabonds, and others supported by criminal delinquency, ...	1,548,500	9,671,000

The preceding statement affords room for curious and important inferences. The industrious orders may be compared to the soil, out of which every thing is evolved and produced; the other classes to the trees, tares, weeds, and vegetables, drawing their nutriment, supported and maintained on its surface. Leaving out of consideration the professions of medicine, law, and religion, and the unproductive, or ornamental parts of society, let us attend to the number and incomes of the following order:—

	Numbers.	Incomes.
Freeholders of the better sort, ...	385,000	£19,250,000
Lesser Freeholders, ...	1,050,000	21,000,000
Farmers, ...	1,540,000	33,600,000
Eminent Merchants, ...	35,000	9,100,000
Shopkeepers, ...	700,000	28,000,000
Innkeepers and Publicans, ...	437,000	8,750,000
WORKING CLASSES,.....	7,497,531	82,451,547

These may be considered the active machinery—the solid substratum—upon which the social pyramid is based. When mankind attain a state of greater perfectibility; when vice, crime, and ignorance are more circumscribed; when we shall seldom require physic to cure diseases, laws to punish offences, or the terrors of superstition to deter from evil; these will be the chief classes in existence. They are the chief classes which ought to exist in a perfect state. The other classes have mostly originated in our vices and ignorance. As mankind become more perfect, or, which is the same thing, as knowledge is more extensively diffused, then will the honorary, legal, and medicinal classes disappear: having no employment, their name and office will cease in the social state.

It is from the useful classes the public revenue, for the maintenance of the army, navy, and general government is chiefly extracted. We have before shewn the iniquitous principle on which our fiscal regulations have been framed, owing to the political ascendancy of the Aristocracy. Nearly all our taxes are taxes on the ordinary transactions of business, or on the ordinary articles of consumption; and press on the industrious like an inquisitorial and remorseless income-tax, levied without distinction of small or large revenues. It has been the gradual working of this oppressive system that has mainly produced the revolting extremes now observable in the condition of different classes of the community, that has enabled one class to riot in profusion, and the wanton enjoyment of redundant incomes, while others have been steeped in indigence, subjected to unceasing and unrequited toil, and barely able to procure the commonest necessaries. That this is not assertion merely, we will demonstrate by an appeal to facts; we will shew that the imposts, which constitute almost the entire revenue, are chiefly levied on the property, avocations, and consumption of the working and mercantile orders of the community. The produce of the customs and post-office is usually referred to as an exponent of commercial activity; that of the excise as the index of internal comfort and enjoyment—and for this reason; that the last, which constitutes considerably more than one-third of the public income, is chiefly contributed by the great body of the people.

Statement of the Gross Produce of Taxes in Great Britain for the Year ending 5th January 1830, *chiefly paid by the Industrious Classes.*—Annual Finance Accounts.

Windows, ...	£1,163,861	Spirits, (Foreign) ...	£2,813,768
Inhabited Houses,...	1,324,427	Licenses, ...	711,829
Bills of Exchange,	483,965	Soap, ...	1,357,688
Receipts, ...	223,639	Butter,.....	147,997
Fire Insurances, ...	773,783	Cheese, ...	87,190
Post-Office,.....	2,024,418	Corn, grain, meal, and flour, ...	905,204
Tea, ...	3,321,721	Eggs, ...	22,189
Coffee, ...	485,448	Tallow, ...	147,085
Sugar, ...	5,453,027	Tobacco and Snuff,..	2,245,611
Malt, ...	3,834,480	Wines of all sorts,...	1,356,819
Hops, ...	245,024	Cotton Wool, ...	230,843
Beer, (ceased, Oct. 10, 1830,)	3,110,570	Coal and Culm, carried coastwise, ...	888,804
Spirits, (British)	2,036,410		
			£37,972,496

Thus, on a gross revenue of £54,902,199, the sum of £37,972,496, is levied on necessaries, and does not in the least touch the luxuries of the great, unless the articles of wines, snuff and tobacco can be considered such. Except these, all the others are articles of daily use and consumption, and the taxes on them operate like an income-tax, augmenting in the exact ratio of every individual's unavoidable expenditure. This monstrous state of our fiscal system is solely owing to non-representation, and consequent monopoly of political power by the aristocracy, which has enabled them to throw the public burdens on the industrious orders. Those who are the source of the wealth of the community, and who defray the charges of the general government, have no efficient control over its administration; nay, are often not treated with ordinary courtesy, and by an usurping oligarchy, considered, the inferior orders, little better than an ignorant rabble!

SECTION VIII.

INCREASE OF THE PEERAGE.

THE members of the Upper House, succeeding to legislative functions by hereditary right, and are exempt from the salutary influence which controls the deliberations of a representative assembly. Their interests are purely oligarchical, and severed from the general interests of the community. It cannot, therefore, excite surprise, that any augmentation in a body of exclusives like this—separated from the mass of society by education, by family pride, by privilege, and usurped power—should be viewed with dislike and apprehension.

Other reasons render an increase in the aristocratic branch of Parliament inimical to general feeling. It has been ascertained that the nobility afford a striking illustration of Mr Malthus' theory of population.* Possessing in abundance the comforts and conveniences of life, they are placed in those circumstances most favourable to a full development of the procreative principle, and it is a singular confirmation of the doctrine of the enlightened writer, that noble families are actually as prolific as those of the United States of America. Peers are mostly marrying men. After visiting the European capitals, and committing a few follies and eccentricities, they usually settle down at about twenty-five or twenty-eight years of age, and the results, on the average, are a progeny of five children, or about twenty-five per cent. more than other people. The eldest inheriting the estate, the rest would be destitute, were not the parents, by means of their vote and borough-interest, able to quarter them on the public. Hence it is, that the people contemplate, with no agreeable feelings, any addition to the peerage; knowing that, in consequence of primogeniture and entail-laws, another family will be thrown upon them for support, and that

* Edinburgh Review, No. 102, p. 316.

their own chance of honourable promotion in the army, navy, civil departments, or other branch of national service, is impeded by new rivals, with whom exists no prospect of equitable competition.

Having explained one or two of the popular objections to an increase of the Peerage, we shall briefly notice the extraordinary augmentation it has undergone during the reigns of George III. and George IV.

A creation of Peers generally takes place on the accession of a new family, the commencement of a new reign, or when an unpopular measure is to be carried. On the death of Elizabeth, the Peers only amounted to fifty-six. James, being the first of a new dynasty, raised the number to one hundred and five; and Charles I. to one hundred and thirty-five; Charles II. created fifteen dukes, (six of whom were his natural children,) one marquis, thirty-earls, three countesses, two viscounts, and twenty-nine barons. At the Revolution of 1688, William III. to ingratiate himself with the great families, raised eight powerful earls to dukedoms created eighteen earls, three viscounts, and nine barons. Anne increased the peerage to one hundred and seventy. The accession of the Hanover family rendered new creations necessary: George I. either created or elevated no fewer than forty-nine Peers. George II. left one hundred and eighty-four. It is evident that the great increase of the Peerage was in the reign of George III. being more than doubled. In 1777, a batch of Peers was drafted from the Commons into the Lords, to effect a ministerial majority. This expedient was frequently resorted to by Mr Pitt. In 1797 ten Peers were made. He nearly created the order of marquisses: he made ten marquisses in England where there was but one, and nine in Ireland, where there was none—all men eminent, of course, for their *services*. Knighthood was still more profusely lavished. In short, he was as prodigal in wasting the honours of the Crown as the money of the people, and for a similar purpose.

The Peers created during the reign of George III. have been classified as follows:—

Landed Commoners,	46
Irish Peers,	56
Scots Peers,	24
Law,	25
State,	25
Army,	13
Navy,	10
Younger sons and younger branches of Peers,	17
Renewals,	7
Confirmations,	7
Peeresses,	5
	235
Extinctions,	74
Addition,	161

George IV. added sixty-four members to the Upper House. In this number are included individuals who have been raised to the Peerage, or in whose favour an abeyance has been terminated, as well as Peers of Scotland and Ireland who have obtained English baronies. No notice, however, is taken of Scots Peerages, which have been recently restored, nor of the creations of Peers of Ireland; of claims to English Peerages which have been admitted, nor of elevations of English Peerages to higher honours. The average rate at which Peers have been created during the last two reigns, has been about four per annum; and was the same rate of increase to continue for the next century, it would double the existing number of Parliamentary Lords.

The total number of individuals who sit in the Upper House is 402, and are as follow:—

Archbishops and Bishops,	30
Dukes of the Royal Family,	4
Dukes not of the Royal Family,	19
Marquisses,	18
Earls,	105
Viscounts,	22
Barons,	160
Scots and Irish Peers,	44

The title of Duke was first conferred by Edward III.; that of Marquis by Richard II.; and that of Viscount by

Henry VI. The last is the only title originally merely honorary, and to which no duties were annexed.

The above description is the present state of the House of Peers; it is almost supererogatory to remark, that any, or even the least addition to the Peerage, would be mischievous in the highest degree. It is an institution which is overgrown already, and requires reform almost as much as did the People's House of Commons. If Peers could maintain themselves by any lawful vocation, when once they happen to squander away their fortunes, their honorary titles might be put up with—but the contrary is the case: when once they come to be without funds, they are quartered upon the community as sinecurists, state-paupers, or on the army half-pay list. A number of other circumstances might be adduced to prove that an increase in the Peerage would be calamitous to the country, and confer no good even on the individuals themselves,—but the foregoing will suffice.

And now, let the Peers remember that the eyes of twenty millions of free-born Britons are intently fixed on them,—let them take heed to their actions, both in their legislative and individual capacities—let them ponder well the consequences of exerting a factious opposition to the measures of a Reformed House of Commons! Once more, therefore, we beseech them to take warning in time.*

SECTION IX.

REFORM FORTY YEARS AGO.

Now that we have attained the great measure of Parliamentary Reform; a measure which it has cost more than half a century of almost constant exertion to secure; we are bound in gratitude to look back to the labours of those who, in times of peril, promoted the good cause, and suffered martyrdom for the preservation of our liberties. The exertions and sufferings of Thomas Muir have again

* See Black Book.

been brought before the public in the history of his life, lately published; but much information regarding the state of feeling, and the judicial persecutions of 1793-94, is to be found in the trial of Joseph Gerald. This person, a gentleman by birth and education, and a man of very considerable talent, had come to Scotland as a delegate from the London Corresponding Society to the British Convention, and was apprehended on a charge of sedition. He applied to several gentlemen of the bar to undertake his defence; but such was the risk and danger at that time of even giving the person accused professional assistance, that every lawyer refused. He was forced to petition the Court of Justiciary, to appoint counsel and agents for him. What chance any one accused of sedition had of getting justice done him, may be estimated from the opening speech of Mr Gerald's counsel, Mr Gillies, now Lord Gillies:—"The temper of men's minds, from many obvious causes, is such, that they consider a person at this bar under accusation, as already condemned; that it is almost unnecessary to plead for him, except as going through the form, while he whose fortune it is to undertake such a cause, is considered as in effect a sharer of the crimes imputed to him whom he defends, and by doing his duty, may incur all the consequences that ought to follow his not doing it. As to the pannels thus brought before you, the public eye considers them as the personal enemies of us all. They do not aim, as we are taught to think, at the ruin of this or that individual. We have not merely a remote interest in their destruction, but it is absolutely essential to our own preservation. Our property, our lives, our all, are represented as the objects of their violence, and against danger so near, and danger so dreadful, we should not be scrupulous about our means of defence. The strongest feelings of our nature, those of self-preservation, are thus called into instant energy among us all." Such was the light in which Reformers were regarded by the people of Edinburgh in the year 1794. No wonder convictions were obtained without difficulty, more especially when we consider that Juries were then packed at the pleasure of the crown. For not only had the sheriff at that time full power to order any persons within his county, whom he chose, to be summoned as Jurymen, but from the forty-five thus chosen, the Lord Justice Clerk selected fifteen to

try the case. We accordingly find on every trial a number of staunch Tory bankers or Town-Councillors, sitting as jurymen.

Of the indiscreet zeal of the judges, we have abundant proofs in the account of Mr Gerald's trial. The accused, at the outset, objected to the Lord Justice Clerk, Braxfield, sitting as a judge, "inasmuch as he had asserted in the house of James Rochead of Inverleith, that the members of the British Convention deserved transportation for fourteen years, and even public whipping; and that when it was objected by a person present in company, that the people would not patiently endure the inflicting of that punishment upon the members of the British Convention, the said Lord Justice Clerk replied, that the mob would be the better of the spilling of a little blood." This objection was formally minuted, and Mr Gerald undertook to substantiate it by evidence; but his offer was refused, though it is plainly inconsistent with the first principles of justice to allow one to preside in a Court of Justice, at the trial of a cause which he had already prejudged. The reasons given by the Judges for repelling the objections, are well worthy of perusal, but we have not space to give them at length. Lord Eskgrove spoke of the "happiness" of being tried "before Lord Braxfield," and could ascribe the insisting in the objection to nothing but "malevolence and desperation." When Mr Gerald rose to defend himself against such imputations, he was brow-beaten, interrupted, and ordered not to insult the Court, by Lord Henderland. Lord Abercrombie in delivering his opinion, declared "that he never hesitated to say that the British Convention was a conspiracy of a most dangerous and most criminal nature, and that even fourteen years transportation is too slight a punishment for the charges made against the pannel." It was in this style—with a packed jury—with counsel afraid of being considered equally guilty with the prisoner for venturing to defend him, and with such temper on the bench, that the court sat down to try the questions, Whether the British Convention was an illegal association? and, Whether, supposing it was, the court had any power to award transportation beyond seas at all as a punishment for sedition?

The indictment is so drawn, that it is difficult to understand what were the acts, from which it was inferred, that

Gerald was guilty of sedition. The indictment consists of twelve very closely printed pages. Some of the circumstances from which the illegal nature of the association was inferred, seem rather singular. Thus, it is charged that the reports of the committees are dated, "Liberty Court," "Liberty Stairs," "Liberty Hall," so that the very word liberty alarmed our rulers during this reign of terror. A French word was equally fearful. Thus it is charged as a serious aggravation of the offence, that some of the reports "have *viva la Convention* prefixed to them, and that they end with *çaira*;"—and a number of other expressions still more trivial, are laid hold of, and strenuously insisted in by the Crown Counsel, to eke out their charge of sedition. The whole trial was a downright farce, and the report of it abounds throughout with manifestations of the zeal and eagerness of the judges to obtain a conviction.

The *gusto* with which Lord Braxfield, in these trials for sedition, performed his part of the duty of summing up the evidence to the jury, has often been graphically described to us by an eye witness. The manner in which he set himself to the task, laying his arms clothed in the wide sleeves of his judicial robes on the bench, and commencing his address in broad Scots,—"Noo gentlemen, it's ma duty to mak to you a few remarks on this case," has made an impression on our informant which is indelible. The next sentence commonly was:—"It appears to me very clear that this man is guilty of the crime laid to his charge." Such an annunciation of opinion was sufficient for the packed juries whom he addressed; and he spared himself the useless labour of going over the evidence, and in many cases, even of expounding the law to the jury. In his address in Gerald's case, his Lordship went quite beyond the limits of his duty. The charge was for mere verbal sedition; but this judge in endeavouring to fix down the charge upon the prisoner, went the length of plainly holding out, that he was a man who would be guilty of the capital crime of high treason. Thus his Lordship remarks, "When you see Mr Gerald taking a very active part, and making speeches such as you have heard to-day, I look upon him as a very dangerous member of society, for I daresay he has eloquence enough to persuade the people to rise in arms."

Mr Gerald had the spirit, though in the midst of his

enemies, to repel an attack, which cannot be designated by any other name than atrocious, by exclaiming, "Oh, my Lord! my Lord! this is a very improper way of addressing a jury, it is descending to a personal abuse. God forbid that my eloquence should ever be made use of for such a purpose." The judge thus reproved, replies, "Mr Gerald, I don't say you did so, but that you had the abilities to do it."

In this way did our highest authority in the criminal law,—judge presiding in a court which decides questions of life and death without appeal, and even without review by the court itself, perform his solemn functions on the trial of this unfortunate individual. The result might easily be anticipated. A jury, of which Sir William Forbes, Bart. was chancellor, and Peter Hill, bookseller in Edinburgh, was clerk, unanimously found the pannel guilty, and he was sentenced to be transported beyond seas for fourteen years, with certification, that if he returned, he should suffer death. The punishment was awarded to this persecuted man for doing what ninety-nine men out of every hundred of the community, have been exerting themselves to accomplish for the last two years, the obtaining of a full and free representation of the people in Parliament. Let those who ask what benefit is to be derived from Parliamentary Reform, study the proceedings of our Court of Justiciary, from the year 1793, to the year 1797, and they will find their question more than answered. Nothing could exceed the fearful state of society in Edinburgh, and indeed, in all Britain, during that period.

The Reformers of 1793 and 1794 suffered, but their sufferings were not in vain. A conviction that the good cause would yet triumph, animated and supported them during their persecutions. Mr Muir, on sentence being pronounced against him, remarked, "Though the sentence had been capital, and though I had been to be led instantly from the bar to the scaffold, I should possess the same serenity of mind. I can comfort myself with the consideration, that I have acted and suffered in a good, just, and glorious cause—a cause that will sooner or later prevail, and which must one day be the salvation of the country." Mr Gerald observed, in his address to the jury, "Whatever may become of me, my principles will last for ever. Individuals may perish, but truth is eternal. The rude blasts

of tyranny may blow from every quarter, but freedom is that hardy plant which will survive the tempest, and strike an everlasting root into the most unfavourable soil. Gentlemen, I am in your hands; I feel not the slightest anxiety. If it would promote the cause of freedom, I would cheerfully make the sacrifice; for if I perish on this occasion, out of my ashes will rise a flame to consume the tyrants and oppressors of my country. Moral light is as irresistible to the mind as physical is to the eye. All attempts to impede its progress are vain. It will roll rapidly along; and as well may tyrants imagine, that by placing their feet upon the earth they can stop its diurnal motion, as that they shall be able by efforts the most virulent and pertinacious, to extinguish the light of reason and philosophy, which, happily for mankind, is every where spreading around us." How triumphantly have we seen the anticipations of these victims of Toryism realized! If a monument is to be erected to our present leading Reformers, surely those who suffered for the same cause forty years ago, ought not to be forgotten.*

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* Edinburgh Weekly Chronicle.

SECTION X.

AUTHORITIES FROM REFORMERS.

To be taxed without being represented, is contrary to the maxims of law, and the first principles of the constitution.—*Chatham.*

The people of Britain have a right to an annual election of their representatives, and an equal representation, founded upon a higher authority than any act or acts of Parliament can confer.—*The late Marquis of Lansdown's Letter to the People of Wiltshire.*

That it is a high infringement upon the liberties and privileges of the Commons of Great Britain, for any Lord of Parliament, or any Lord Lieutenant of any county, to concern themselves in the election of members to serve for the Commons in Parliament.—*Resolution of the Commons entered on the Journals at the Commencement of every Session.*

That government alone is strong that has the hearts of the people; and will any man contend that we should not be likely to add strength to the State, if we were to extend the basis of popular representation? Would not a House of Commons, freely elected, and that was, in truth, the representation of the people, in supporting the administration of the Crown, be more likely to conciliate and to ensure the support of the people? If this be true in the abstract, it is certainly our peculiar duty to look for this support in this hour of difficulty.—*Charles James Fox*, 1797.

No honest man can, according to the present system, *i. e.* the late system, continue Minister.—*William Pitt*, 1782.

No person who has an office or place of profit under the king, or who receives a pension from the Crown, should be capable of serving as a member of the House of Commons.—*Act of Settlement, 12th and 13th William and Mary*, § 7.

The congregation of hypocrites shall be desolate, and fire shall consume the tabernacles of bribery: they conceive mischief, and bring forth vanity, and their belly prepareth deceit.—*Job* xv. 34, 35.

REPRESENTATION OF THE PEOPLE AS IT WAS.

In the puerile debates of session 1830, on the East Retford Bill, Sir Robert Peel took up a sophism dropped by the late Mr Canning, namely, that however just and expedient a reform in the representation might be, still he should oppose it, since it would compromise the safety of

the monarchy. What an argument to address to the United Kingdom. Is the safety of the Crown and the Aristocracy to be put in competition with the wishes and welfare of twenty-four millions of people? or, if we include the population of the colonies and dependencies of the empire, with one hundred and fifty millions? The kingly office is only a trust for the public benefit, and the peerage is instituted for a similar purpose; and shall the prerogatives of these be made a pretext for withholding justice and happiness from such an assemblage of human beings? But we deny that either the Crown or Peerage would be compromised by parliamentary reform, between which, and a government of three orders, we cannot discern an inherent incompatibility. Every community must have a head: we prefer a king to any other designation, and between the monarch and the commons, an intermediate body may be interposed, without deranging the harmony of the system, or erecting a barrier to popular rights. This intermediate body is the Peerage or Aristocracy, and ought to be a real aristocracy, consisting of the *élite* of society, not deriving their functions from the accident of birth, but chosen, like the judges, for life,—not, indeed, by the Crown, but the representatives of the people. Such innovations as these might compromise the corruptions of monarchy and aristocracy, they might involve a vast reduction in the civil list, and in the pensions and unearned salaries of the nobility; and it may be these Sir Robert contemplated; but the loss of them would not be greatly deplored by the people of Britain, so long as the substance of the regal office, and the legitimate functions of an upper chamber, were preserved inviolate.

Having despatched the last new argument against parliamentary reform, we shall proceed at once to the root of all evil—the corrupt and defective state of the national representation, previous to the passing of the Reform Bills.

So much has been urged to shew the absurdity and mischievous tendency of the late constitution of the House of Commons, that it seems almost a work of supererogation to add any thing further on the subject. We will, however, make a few remarks on three leading positions, on which, we think, the Reformers are unanswerable. These positions are, *first*, That the House of Commons, as lately constituted, was unconstitutional and irrational; *second*,

That it has been productive of all the calamities under which the country now labours; and, *lastly*, that it was utterly impossible any great measure of retrenchment, or any other measure materially beneficial to the country, could be carried, while it remained unreformed. These points established, every one, not interested in the abuses of government, must see what a paramount necessity there was of renovation; that all other projects were "shadows vain," and that this was the only means by which the nuisance of oligarchical usurpation could be abated, and the condition of the people ameliorated.

To prove that the House of Commons was unconstitutional, it is sufficient to revert to the authorities placed at the head of this article. But it was not only unconstitutional, it was glaringly unequal and preposterous: it was founded on no rational principle of either population, intelligence, or property. There was *Old Sarum*, for instance. Of this borough nothing remains but a thorn-bush, yet it has a nominal bailiff and burgesses, and returned two members to the imperial parliament. Appleby was another burgage tenure-borough: here the right of voting was vested in some pig-stys, and it was these magnificent abodes which were represented in the "Great Council of the Nation," while Manchester, Leeds, Sheffield, and Birmingham were excluded. Gatton consists of only six houses, and had but *one voter*; this voter united in his person the various functions of magistrate, churchwarden, surveyor of the high-ways, collector of taxes, appoints at his court leet the constable, and returned two members to represent him in the Commons' House. At Midhurst there was neither freeholder, property, nor inhabitant; and the whole business of returning two members was performed by the attorney of Lord Egremont. There would be no end of enumerating similar incongruities; but these must suffice to shew the absurdity of the late system in respect of population.

As to *property* it was not less indefensible. At Weymouth and Melcome Regis, voters possessing only the thirteen hundredth part of a six-penny freehold have been deemed eligible. At Horsham, voters possessing a house, or part of a house, paying only two-pence a-year, were entitled to vote for a member of parliament. But why, in returning county members, should the elective franchise

attach only to freehold property? Copy-hold property, since the abolition of the feudal tenures, is nearly as valuable a possession as freehold. But if property be the proper basis of representation, why not admit funded and personal property? or why not admit property vested in manufactures, navigation, and shipping? But the whole was an unanswerable absurdity. The crowning anomaly, however, still remains. ONE HUNDRED AND FORTY-FOUR PEERS, persons whom we have seen, from one of our mottos, have no right to interfere or concern themselves in elections, did actually nominate 300 members; and that 187 more members, forming a majority, were nominated by government, and 123 private individuals.

Absurd as such a system was, the Edinburgh Review and some ingenious persons have attempted its defence. They contend that, notwithstanding its revolting incongruities, it produced much *practical good*, and that men of talent and virtue found their way into the house even under the late defective system. This was the common argument of corruptionists who affected to be rational and liberal, but we will soon shew that it was the most weak and puerile imaginable.

Granting that some four or half-dozen honest and clever men obtained seats in the house; we ask, did this render its constitution as it ought to be? Was it right that an assemblage, which ought to be a congregation of the wisdom and probity of the community, should only contain about one-hundredth part of men of real ability and good intentions? Persons of this description ought not to form an extremely small *minority*, they ought to form the *majority*; nay, the whole ought to be of this class. Certainly an assemblage, where the legislative power resides, ought to be composed of men above the average talent and integrity of society; it ought to be a filtration from the mass, and a concentration of all that is eminent in wisdom, integrity, and patriotism.

But of what service were half-a-dozen, a score, or even a hundred unexceptionable characters in an assembly of more than six hundred? They can neither prevent bad, nor carry good measures. Power there is neither in eloquence nor strength of reasoning, but in *strength of voting*; and unless they be superior in the number of votes, as well as in probity and intellect, they can render little ser-

vice to the country. Unquestionably a few men of ability found their way into parliament through the means of boroughmongers. The fact is, such representative nominees partook of the character of their patrons: if the latter be enlightened and patriotic, so will the former; and *vice versa*. But this only proves the veracity of the representative principle; it only proves that the representative body will always partake of the character of the constituency, whether peers or commoners, and demonstrates, unanswerably, that if the intelligence, property, and a majority of the people were represented, so would the public welfare preponderate.

Let us come to the *second* position, namely, that the *calamities of the country have resulted from non-representation*. Some have been hardy enough to assert that the same measures would have been pursued, and the situation of the country would have been nearly similar, had the government been vested in the people. They contend that the WAR—the fruitful source of calamity—in its commencement was *popular*. Allowing, for a moment, that the people were favourable to the war at the beginning, and continued so for some time afterward, yet we contend that even this originated in the state of the representation. The voice of reason and truth was stifled by the power of corruption. A panic was raised about property; the most ridiculous fears were excited about French liberty and French principles. Truth could no where make herself heard: all the outlets of information—the daily press, the periodical press, the bar, the pulpit, the senate-house—all were devoted to the Oligarchy: delusion and corruption triumphed; and the friends of liberty and peace, who vainly endeavoured to expose the million of lies which inundated the country, were either banished, imprisoned, or expatriated.

Hence arose the pretended popularity of the revolutionary war. The exclusion of the people from the government, afforded to the Church and Aristocracy the means of silencing truth, and deluding and moulding the nation to their own ruinous purposes. On no other supposition is it possible to account for the system so long tolerated in this country; for the accumulation of a debt of 800 millions—the degradation of one-tenth of the community into paupers—the depreciation of the currency—and the growth

of a population for which there is neither food nor employment. These evils are not the offspring of a day; they are the bitter fruit of years of misrule; and that the Oligarchy was able to persist in its career, can only be ascribed to its power of delusion, which prevented an energetic and rational resistance to measures in their commencement, that, on the most obvious principles, contained the seeds of national misery and embarrassment.

We come next to our last position, namely, that unless the Reform Acts had been passed, no effective measures of national improvement or financial retrenchment could be carried. This is almost a self-evident proposition, and scarcely needs proving. The House of Commons itself was the great grievance of the people, as the interests of a great majority of its members were directly opposed to those measures by which their accumulated sufferings could be alleviated; their advantages resulted, like those of the physician, not from the application of speedy remedies, but from the protraction of national disorders, and, in fact, had it not been from motives of apprehension on the part of those who held the reins of power, we would never have received such an extensive measure of Reform, (viewing the three acts as a whole) as the one which has so lately received the fiat of the legislature. Had it not been for the French, Belgiac, and Polish revolutions, we might have been little better than we formerly were; but these achievements in the cause of freedom, by the heroic nations above mentioned, though they have not been all alike successful, awoke the Boroughmongers from their lethargy, and made them fully aware of the dangerous precipice on which they were standing; the consequence was, that Lord John Russell, under the direct superintendance of the government, introduced his famous plan of Reform, and which was hailed with rapturous applause by every reformer in the British dominions, which, while it gave the British nation some idea of the newly formed government, and a pledge of what it was to expect from the wisdom and energy of their future measures, gave at the same time, a complete death-blow to that faction, which had for so long a period governed the people with such despotical severity, waste and prodigality. We proceed, however, to consider that great measure which has conferred the in-

valuable right of citizenship upon so large a portion of the community of Britain.

SECTION XI.

REPRESENTATION OF THE PEOPLE AS IT IS.

We have now laid before our readers a short exposition of the late system of representation. We have detailed in regular order the manifold corruptions and glaring abuses, which rendered that system the disgrace of Britain, and the great fountain from whence proceeded the multiplied grievances of the people. We now live in eventful times; that fearful source of misgovernment and iniquity has been weighed in the balances and found wanting. Earl Grey, under the sanction of William IV. along with the powerful support of the people of Britain, and with the mighty aid of the patriotic portion of the press, has succeeded in passing the Great Charter of our Liberties, though not before the demon of corruption, and his legions of emissaries, had exerted their diabolical powers to the utmost, in order to render ineffectual the exertions made by the friends of the human race. The battle is now over—our enemies are vanquished—and have retired from the field in terror and dismay!

To proceed: the principles of the Great Charter are as follows:—*First*, Disfranchisement of decayed boroughs and exclusive town-councils. *Second*, Enfranchisement of cities and towns who were not at all, or inadequately represented. *Third*, Conferring the elective franchise upon copy-holders of £10, per annum; freeholders of £50, per annum; and house-holders, in boroughs, of £10, per annum. So far all is favourable; no person possessed of common sense even imagined that the franchise under the Reform Bill would come lower than the £10 qualification

at this time. But what is the reason that the £10 house-holders in the counties, have not the same privilege as those of the same amount of rental in the boroughs? This is a most invidious distinction, and can be accounted for on no other principle than a keen sensation of low selfishness on the part of the land-owners. The interests of the county £10 voters are as valuable as those of the boroughs, and no good cause can be adduced for warranting their exclusion. We again say it is an invidious and unjust proceeding, and ought to be remedied in the first session of the Reformed Parliament.

The next defect to be considered is, the time of registration. In place of limiting the time of registration to a period of a month or six weeks, the period ought to have been extended to three full months, so as to have given all the electors full time for the purpose of registration; but on account of limiting the time to such a short period, there cannot be a doubt that great numbers of those who were qualified have been virtually disfranchised. *Government must have been sadly misled here.*

Another defect is, that clause which makes it imperative, that the assessed taxes must be paid before the right of voting can be extended; this, to say the least of it, is as great a blunder as the government has committed,—it was making *a stick to break their own backs with a vengeance.* So long as the law is open for enforcing the payment of taxes, where was the utility of making a new enactment for the same purpose, and which was sure to operate in such a mischievous manner. The tories who have fattened for such a length of time upon the spoils of the country, will experience no difficulty in discharging whatever taxes may be due by them; but with Reformers who have been so long oppressed and kept under, it will be quite a different thing. Great numbers, in fact, are unable to pay their taxes so instanter, and government ought to have remembered, that the people were not made of gold—that they had other purposes to do with it than to put it into the hands of the tax-gatherer, when he happened to call upon them. In place, therefore, of doing this, had government decreed that all £10 house-holders would have liberty to vote without restriction, there cannot be a doubt that the number of electors would have been trebled, the number of those liable for the taxes doubled, and conse-

quently the revenue, and the cause of reform greatly benefited. But what has been the result by the government acting so blindly? Why, the revenue derivable from the assessed taxes has been limited to a great extent, and the reformers, consequently, have in a great number of instances, been disqualified? On the contrary, the people's enemies have mustered strong in spite of their late disasters, so much so, as to place the success of the measures dependant upon a reformed parliament, in the greatest jeopardy. This clause, however, must be remodelled, and the sooner the better.

Another great error is the compelling the claimants to pay sixpence for a certificate, which, in point of real value, is scarcely worth a penny. We thought the age of chicanery and imposition had passed away with the tory dynasty; but we almost begin to fear that it is not so much a change of principle, as a change of name. The certificates ought to have been given gratis most assuredly, and the registration ought to have been performed gratis also, as the officials who have the duty of registration to perform, are well enough remunerated for all they have to do, and it is too bad in government making more overpaid offices; in short, there is a meanness about such restrictions and paltry charges which is quite disgusting, and it is the wonder of every one how a liberal and economical government had the hardihood to propose and carry them through—there ought to have been no tax-paying restriction, no imposition of five-pence for what could have been furnished for a penny, and no exorbitant charge, such as 2*s*. 6*d*., while a sixpence was more than sufficient.

The last defect we will notice is, the extreme facility the bills present for frivolous and vexatious objections. It ought to have been enacted, that before any objection could be made, the persons certificates, against whom it is intended to lodge an objection, should be examined, and the grounds of objection specified, and if it turned out when the claim was examined before the proper authorities, that the objections were frivolous and vexatious, then the objector should pay to the objected the sum of 10*s*. as a remuneration for the trouble and expence he had been so vexatiously subjected to; this would have been a complete counterpoise to malicious objectors, and would have given them something to object for; but here, of course, we have

some feeling for the government, as it is likely they never would imagine that such a wholesale objectioneering system would have been resorted to, as has been so notoriously manifested. We would recommend, however, this point to their gravest consideration, as it is an anomaly in the bill which ought not to be suffered to exist.

However, it must be owned, that independent of the foregoing defects, the reform measure might have gone a little farther, and comprised within its limits triennial parliaments and vote by ballot; but as it is, it certainly must be allowed to be a great point gained; we consider it to be the foundation of all the other reforms which are soon to take place, and we now go on to give an idea of the system of universal suffrage, and the impossibility there is of its ever being adopted, from the great confusion and evils it would inevitably occasion; after which, we intend to close the subject of the representation, by shewing that the elective qualification can be lowered without danger, as low as one hundred shillings in place of two hundred; give an account of the ballot system of voting, and the necessity of parliament sitting three years in place of seven.

SECTION XII.

UNIVERSAL SUFFERAGE.

Taxation and representation are inseparable.—*Lord Camden.*

In a free state, every man who is a free agent, ought in some degree to be his own governor, and a branch, therefore, of the legislative power should be lodged in the great body of the people.—*Blackstone's Commentaries on the Law of England, book i. chap.* ix.

It will be seen at once from the above authorities, that no good reason can be alleged why every one who is his own agent or free governor, should not share in the making of

the laws to which he is amenable, or, in other words, to vote for a member of parliament. It is well known that the person is not less sacred than property, and laws which affect the security of the former, are certainly not less important to every individual, than those which affect the security of the latter. It is not, therefore, liability to the payment of taxes, but legal responsibility which prescribe the utmost limits to universal suffrage.

But the right of such a principle, however just it may be, is clearly incompatable with any practicable form of government; it would entitle all, with scarcely any exception, to participate in legislation, either directly or by representation; it would embrace females as well as males—all minors would be included, of whatever age, provided they were judicially responsible. The floating population of every town would be eligible to vote—vagrants, emigrants, packmen, pedlars, and hawkers of all descriptions, in short, no one would be disqualified except the insane, and infants of so tender an age, that they are incapable of distinguishing right from wrong. We apprehend the idea has not been sufficiently analyzed, if it had, we feel conscious that a scheme so indefinite could have but few advocates, except among such mock reformers as Harlequin Sheridan, who professed to be an advocate for universal suffrage, because he deemed it utterly unattainable, and an excellent device for creating divisions, by which every plan of public improvement might be ridiculed and frustrated. However, as the vital question of universal suffrage has never been at any time but superficially investigated, we intend here to discuss it as fully as our limits will permit.

If we were asked, why we would adopt any other principle of exclusion; for instance, why disfranchise women in prefence to men, or minors to majors? why we would allow a person to vote at the age of twenty-one, and not at twenty or eighteen? We confess, in answer to these inquiries, we can only give one reply, namely, that expediency and not strict justice dictates their exclusion. This brings us to the fundamental principle, by which all political questions must invariably be decided; they must be determined, not by any abstract view of justice, but of general advantage. It is not by reverting to right, or more correctly, to the power appertaining to man in a natural

state, that we can ascertain his civil immunities; we can only look to the general good, or as the celebrated Bentham significantly terms it,—*the greatest happiness of the greatest number.*

Upon this principle we exclude minors from voting, because their interests are identified with those of their parents or guardians: we exclude females from voting, because their interests are merged in those of their husbands, fathers, or brothers. How much farther this principle of exclusion should be carried, is a practical question—one of utility, not of theory: whether the right of suffrage should be universal or limited to householders assessed to the poor's-rate, or to those who pay assessed taxes, is a consideration which must be decided by ascertaining which would be most conducive to public happiness and prosperity. The sole end of just government is the equitable and adequate protection of all interests and all classes in the empire, and provided these are attained, the object for which the franchise is exercised is become amply secured. The task of legislation is a part of the labour of society; and it is only a clumsily contrived social machinery, approaching to the organization of the savage state, if it demand the participation and exertion of every individual.

It is obvious, then, from what has been above stated, that universal suffrage is not a principle of universal application, adapted to all classes, at all times, and in all places. For instance, what would be the tendency of this scheme, even though it were aided by the protecting influence of the ballot? In Spain and Portugal, from the vast extent and depth of popular ignorance, it would evidently revive the horrible Inquisition, increase and perpetuate the domination of the priesthood, confirm the despotism of Don Miguel (if he is not already put down) and Ferdinand, and strengthen all interests opposed to liberal ideas,—it would oppose the development of internal resources, and the promotion of the liberty and prosperity of the Peninsula.

Universal suffrage would operate in a similar manner in Ireland; there the people are so lamentably ignorant, as to be entirely at the mercy of the Catholic priesthood, who pillage them without mercy, under the pretext of saying masses for the dead, &c. The condition of Ireland in the nineteenth century, to the eternal disgrace of our oligarchical government, is a living type of what Britain was ante-

nor to the Reformation. And what, we would ask, would universal suffrage have done for us, at that era? would it have broken the power of the monks or of the feudal barons? Certainly not: it would have perpetuated vassalage, and had such a regimen continued, the body of the people would have been in no better condition than that of the headstrong and uncivilized boors of Russia, who have been the instrument in the hands of their diabolical, blood thirsty Autocrat, the execrable means of trampling again under foot for a time, the liberties of the brave and illustrious Poles! Yes, these are the benefits which would accrue to Europe generally from the exercise of universal suffrage, without the attainment of the people's greatest blessing of a religious, moral, and political education. But this once gained in an efficient manner, it is then they may be entrusted with universal suffrage, which will tend in this case to turn out a blessing instead of a curse.

We commence, in the next place, to unfold the proper *maximum* of the elective qualification to vote for a member of parliament.

SECTION XIII.

REPRESENTATION OF THE PEOPLE AS IT MAY STILL BE—WHAT OUGHT TO BE THE ELECTIVE QUALIFICATION.

ENGLAND and Scotland, there can be no doubt, have made great progress in all the arts and sciences peculiar to real civilized life. Since the Reformation, by means of the gigantic, but cautious strides, of a liberal, well-informed press, towards furthering the moral and political knowledge of the people—by means of local associations for the gradual but effectual promulgation of useful knowledge, and numerous mechanical institutions for the benefit of the working classes—by means of public circulating

libraries, the practical and theoretical knowledge of this country has been advanced, by the blessing of God, to an extent unprecedented in the annals of either ancient or modern nations.

Now, considering the advantages which the working classes enjoy,—their great propriety of conduct,—and their numbers and numerical weight, when put in comparison with the other classes of this empire, we hope we will not be deemed preposterous when we say that they ought to have a share in the electing of the representatives of the nation, as well as the middle classes of the empire.

We have already discussed the question of universal suffrage, and we have shewn its defects and inexpediency, and now we are going to propose the *maximum* of the qualification, which is, that the £10 qualification be lowered to £5, to be denominated the hundred shilling franchise; to do this, is to do no more than a great act of justice to one of the most numerous classes that compose the population of Britain; by so doing, we will have a good chance of adding to the strength and stability of government, and making it popular to an extraordinary degree. It is the working classes that mainly support the revenue; they contribute nearly forty millions yearly, by their great consumption of exciseable commodities. It is the working or manufacturing classes that are the chief upholders of the country; from the humble, but industrious artizan, to the great manufacturing business-man, are the productive classes constituted. Another weighty argument in their favour, is, that had it not been for their noble constitutional conduct, and disinterested patriotism, we would never have had our glorious Reform, the Magna Charta of our Liberties, at this moment in our undisturbed possession. They, by their constitutional and patriotic behaviour and noble exertions, under Divine Providence, were the means of completely defeating that despotic faction, marshalled under the command of that celebrated captain, whom the greatest commander in modern times, could not overcome at far-famed Waterloo;—yes, our meritorious working classes must have their rights, for by their petitioning and spirit-stirring exertions, they have gained for the middle classes the attainments of their privileges; besides, by investing all and above £5 with the franchise, we at once fix the proper limitation of the right, and to go lower in the

scale of rental, would only be tantamount to universal suffrage, and its consequent inconvenient effects. It may be asked, why limit the franchise at £5? why not give it to the three pound and four pounders, they not being the flying population—they not being vagrants, emigrants, and so on? We answer, one reason is, that it is of the utmost importance, that those possessing the franchise, should be intelligent, industrious men—men who are progressing, rather than retrograding in the scale of society. It is well known, that below a certain amount of rental, we shall say on 30*s.* or £2, that the occupiers of such hovels, however respectable some of them once might have been in society, have, in a great majority of instances, brought their poverty and disrespectability upon themselves by their own misconduct and want of industrious exertions. To give the franchise to such as those, would only be throwing it away, for from their situation, ignorance, and other attendant private calamities, they could not use it, either to their own advantage, or that of the other classes of society.

These are our own reasons; and though we limit the right to five pounds, as being the fittest *minium*, yet we do not insinuate from that, that all those who pay from two to five pounds, should be included in the above class, which we have laid down at one or two pounds, most of those paying from two to five pounds, have been necessitated to descend from more comfortable abodes, to their present low-rented habitations, and their consequent inconveniences—from the depressed state of trade in every department—but all may rest assured, that when the trade and commerce of Britain come again into active operation, and attains even more than its former degree of prosperity, that our depressed working classes will again resume their wonted status in the rental of the country; even landlords themselves will not be slow in raising their house-rents, when once they find that their hitherto distressed tenants are able to pay them greater rents, from the increased prosperity of the times. In place, therefore, of renting houses at two or four pounds, they will be found, one and all of them, paying rental to the amount of seven, eight, or even nine pounds; but only as we before hinted, it is highly proper that the franchise should be limited to five pounds, so as to prevent chimerical and ill-minded men from proposing and carrying universal suffrage with all its attend-

ant evils and calamities; and we again assert, that by investing them with the five pound franchise, it is no more than a great act of justice done them, for the advantages conferred principally by their powerful aid on the middle and upper classes of society. As it would be the height of political absurdity to give the working classes their rights, without the protecting influence of the ballot, we proceed, in the next place, to give a description of that ingenious plan so destructive of the evil designs and tyrannical intimidations of all base corruptionists.

SECTION XIV.

THE BALLOT.

Of the utility of the ballot, we have no doubt: it is supported by reason, and opposed only by sentiment. Even under the late existing system of open boroughs, it would have been an effectual antidote to the bribery, intimidation, and venality so fearfully predominant in these places; it would be favourable to the peace of towns—to harmony among the different classes of society; it would be subversive of cabballing, intriguing, and partizanship, and operate alike beneficially on candidate and elector, by depriving the former of all claim to the suffrages of his constituents, and the latter from all motives for granting them, except on public desert and fitness for the representative function. An extension of suffrage, without the ballot, would be an evil, an aggravation of the abuses of the borough system, and be a curse in place of a blessing to the voter who exercised it. Those who advocate the former, without the latter, cannot be sincere, they must meditate the deception of the people. What is the object sought by an extension of the elective franchise? Certainly that those who obtain it, may have a responsible organ through

which their opinions and interests may be represented.* But what is the advantage of a vote, unless it be given freely and independently for the promotion of the ends for which it is given? Of what avail is the suffrage to a workman, a householder, a master-tradesman, or merchant, if he must exercise it under the control and direction of his employer, his landlord, or his customers? In this case the franchise is not given, it is delegated, and the election is only the proxy of him who has power to control his choice of a candidate. The only efficient and practicable way of using the ballot in the case of elections, is the following, taken from the state tracts of William III. where an instance is given of election by ballot in an English burgh:

The account says, "It is customary in the borough of Lymington, in Hampshire, to elect by ballot. The manner is to give every electing burgess (their number being limited and known) a different coloured ball for every competitor, each colour being respectively appropriated to the several competitors; as, suppose there should be three candidates, each elector has three several balls given him, which he so manages as to keep only that in his hand, which, by its colour, belongs to the person he intends to choose; this being enclosed in his hand, which he puts into a close box made for that purpose, leaving no possibility for any one to detect what coloured ball he puts into it. Thus, each having put in his ball according to his vote, the balls of one colour separated from those of another

* It has been urged as a great objection against the ballot, that its general tendency is to demoralize the electors—this we flatly deny—as it must be remembered, that the intention of it is to preserve the elector from voting against the dictates of his conscience. Under the open system, the elector's conscience is not his own, as it has been found, that wherever he is under the influence of unprincipled persons, be their station what it will, he must pander it away in order to gratify their low, grovelling selfishness, and nothing can preserve him, unless he is independent either in spirit or in circumstances, which very few of them are, by reason of the almost universal dependency of the middle classes upon the Aristocracy. We say then, that it is the open system alone that has such a fearful demoralizing tendency attached to it, and no other system but the ballot can be proposed so well calculated to avert all the many corrupting tendencies which are to be found so closely linked together in the train of the system of open voting.

colour, and so according to the number of balls of one colour, the return is made. This method is of great advantage where it is made use of; it prevents animosities and distrust, and very much asserts that freedom which ought to be in elections. No man in this way need fear the disobliging of a landlord, customer, or benefactor; for it can by no means be discovered how he gave his vote, if he will but keep his own secret." "If this," the historian goes on to say, "or some other device, were appointed to be made use of in every borough over all the kingdom, I am persuaded it would abundantly answer expectation in the many advantages which would attend it."

And besides the above testimony of its utility, we may mention, that the election of the sixteen representative Peers for Scotland, is made by ballot; and surely if the system was either dishonourable or chimerical, the Peers of the realm would never condescend to adopt it.

On the 6th of March 1733, it was solemnly debated in the House of Peers, that stronghold of the aristocracy, whether the election of the Scots Peers should be made by ballot; the question was carried in favour of that mode of election, by ninety-six to sixty-three. The minority entered a protest, which was signed by no less than thirty-four persons, among whom we find Marlborough, Montrose, and Bedford, Willoughby de Broke, Boyle, Stair, Winchelsea and Nottingham, Bathurst, and the Bishop of Litchfield! The reasons assigned for the ballot being preferred, are extremely well expressed. The Lords say, "The method of voting by ballot appears to us infinitely preferable on many accounts; for, as it is well known, there are several alliances amongst that body of nobility, many of the Peers may be put under great difficulties, their alliance drawing them one way, and their opinion and inclination another way; it is also possible, that by pensions from the crown, or by civil or military preferments, some of them may lie under obligations to a court, and be reduced to the hard necessity, under the power of an arbitrary minister, either of losing their employments, or of voting against their nearest relations, and their own opinions also: we apprehend that no election can be called perfectly free, where any number of electors are under any influence whatsoever

by which they may be biassed in the freedom of their choice."*

Thus, even the lords may be held to be favourable to the ballot, if not actually pledged to support its adoption. But let it be remembered, that let the franchise be bestowed on whom it may, it will be perfectly nugatory and delusive without the ballot; but give us the five pound franchise and the ballot, and we will defy all the powers of corruption to do as they have hitherto done.

We have thus shortly touched on the two most important considerations of the elective franchise—the utmost limit of the qualification, and the mode of election by that most efficient of all plans—the Ballot. Our arguments on universal suffrage, the elective qualification, and the ballot, may be briefly stated as follows: that universal suffrage is no more consistent with strict justice to all classes of the community, than other plans of suffrage, but like them is founded on principles of exclusion and expediency, that such an extended suffrage is not necessary to the protection of all classes and all interests, and that real Parliamentary Reform can only be obtained by a cordial union

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* Another objection supposed to be, (but most foolishly) a triumphant one, is, that the ballot, as exercised in America, was never intended to preserve the electors from intimidation. "If you were to ask an American," says this objector, "if the ballot was intended to preserve him from intimidation, and tyrannical interference with his right of election, he would laugh at you, and would think you intended to insult him." This may be all very true, nay, we believe it. But what is this state of opinion on the part of the Americans owing to? Why, we say at once, and say it fearlessly, that it is owing to the want of an unprincipled Aristocracy, such as the majority of them are in Britain. The Americans never had any experience of what dishonest Aristocratical influence is, for if they had experienced it, as the people of Britain have, such questions as the above would not be a subject of laughter unto them, it would be a matter of sincere congratulation that such an inestimable privilege as the ballot was theirs. In short, it is the want of Aristocratical influence in America, that makes the difference. Even if there are any Aristocratical intimidators there, they find that it is in vain to exercise their diabolical machinations, from the circumstance of the ballot being the grand preventative. Hence, it is no wonder that they laugh at the bare idea of intimidation; and so will we in Britain too, when once we receive the invaluable boon, and we must have it.

of the proprietary and industry of the nation, and that beneficial union is impeded by the urging of a claim (universal suffrage) which many deem unnecessary, some impracticable, and others dangerous and pregnant with the worst consequences to society. We have shewn that such a scheme is not adapted to all times, to all individuals, and to all places, and that it would be inimical to the social, local, and national improvements, which the friends of liberty are so anxious to promote.

The chief points, as before observed, is the elective qualification. And it may be asked, why limit the right of suffrage to householders? If we have not sufficiently answered that question, we will endeavour to do it. And in the *first* place, we must inquire why those who demand a lower qualification than the hundred shilling franchise do not carry their claims to the utmost limit of abstract justice the question admits of? Why do they exclude females or minors? Why do they stop at twenty or eighteen years of age? We contend, that aggreeably to strict justice, every one of whatever age or sex is entitled to share directly or by representation, in the making of the laws to which he or she is amenable. Universal suffrage, as commonly expounded, is an exclusive scheme, so is ours, the difference between them is one of degree, not of principle. Our reasons for limiting the franchise to five pound householders are practicable; they prove that such limitation would render reform completely attainable, while a more indefinite scheme, such as universal suffrage, would totally defeat it; that the fact of keeping house, though it confers no right, indicates a class of persons settled in life, of mature age, and fixed abode, and that such qualification is adequate to the protection of all interests and all classes; that it would conciliate the timid, and preserve the suffrage itself from degradation.

Lastly, Let it be borne in mind, that persons are not excluded from the suffrage on the ground of right; that they have no stake nor interest in the country, but simply because the exercise of it would be unprofitable to themselves and the community, and as useless as two persons holding a pen in place of one, to expect that the Aristocracy will concede farther than the five pound franchise, even if they concede so far, is wholly chimerical, we

might as well expect them to abolish the House of Peers, and go to Van Dieman's Land or New Holland as settlers.

SECTION XV.

TRIENNIAL AND SEPTENNIAL PARLIAMENTS.

THE word Triennial is compounded of the Latin numeral *tres*, three, and *annus*, a year, and signifies lasting for three years, or happening every third year. When Parliaments were first enabled by an express legislative enactment to sit for three years, they were termed triennial parliaments. It has not been accurately ascertained what the precise period was which regulated the duration of Parliaments anterior to the enactment of the triennial law; but it is more than likely, that their duration was fixed to no definite period of time, but merely that when a parliament was chosen, it continued to sit so long as it acted in unison with the other higher powers in the nation, and were only dissolved when they happened to disagree with the wishes of the king, who, when he resorted to the last alternative of dissolving them, called a new parliament, which he might well suppose would be composed of men more pliant than the former. This state of things apparently continued until the enlightened and liberal reign of queen Elizabeth, when an act of parliament was passed, limiting the duration of parliament to three years, and was termed the triennial act, legalising triennial parliaments. This act was passed in the third year of the reign of queen Elizabeth, in the year 1561, and continued the law of the land until 1688, when the popular parliament, which met by reason of the Revolution, recognised the triennial law, and among the other acts which it passed, it invalidated the provisions of queen Elizabeth's triennial act, as the proper period for the duration of parliament, and made it anew the law of the country, which it continued to be

for twenty-two years after, when a parliament sat which shamefully rescinded queen Elizabeth's triennial law, under the sly pretext of its being dangerous to allow the elections to proceed while the Pretender was in the country. Allowing, for a moment, that it was politic to suspend the triennial act at that time, we ask what was the reason that they did not revive it when all danger was past? The reason is obvious; it was but the commencement of a system as unprincipled as it was unjust toward the community; and the boroughmongers, having so cunningly got in their little finger, were determined to have in their whole hand, and the history of the country since that period sufficiently testifies, how they succeeded, and how the country has been undone by their diabolical machinations.

Having given the definition and abbreviated history of triennial parliaments, we will now in like manner give the same of Septennial ones. The word Septennial, is compounded of the Latin numeral, *septem*, seven; and *annus*, a year; and signifies lasting seven years, or happening every seventh year. The boroughmongering parliament, which sat in 1716, repealed the triennial law, and passed an act for extending the duration of all future parliaments from three to seven years, called it the septennial act, and all parliaments which have met since, are under the auspices and provisions of that law, and have been denominated septennial parliaments. This system has existed since 1716, being 116 years to this present year, 1832.*

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* It will not be out of place here to remark, that it was a whig government that caused the triennial act to be repealed, and the septennial system to be enacted in its stead. The whigs of that day were in general a perfidious party of men, as this *repealing affair* manifestly proves. They, in fact, aimed at nothing less than absolute power, and that too, over both the king and the people, but they were frustrated in time, and they well deserved it. We will not however infer from this, that the whigs of the present day are infected with the same hankering after absolute power; by no means, they have as yet done tolerably well, but still their keeping up a standing army to overawe the people, shewing a repugnance to parting with military flogging, keeping up the taxes upon the press, &c. shew plainly that they are not entirely free from the unseemly errors of their forebears. But what we want from government with

We now proceed to give a brief recital of the advantages the septennial system gives the boroughmongers, and the disadvantages it throws upon the nation. *First*, It is clear that it was the cupidity of a corrupt parliament which enticed them—to lengthen out its period of pecuniary aggrandizement, at the nation's expense, and tempted the boroughmongers to extend the duration of parliament from three to seven years. It was on no principle of national advantage whatever, as we shall prove immediately. By the septennial system, they are enabled to sit for seven years, and that too, without caring a straw for the wishes or the welfare of their constituents, unless dissolved sooner by some extraordinary circumstance which occurs in the nation's affairs; they, in fact, become their own members, not the members of those who send them; they know that they have a long day, and they are determined to make the best use of it for their own advantage, not for the advantage of the nation. Another consideration is, that in triennial parliaments, the value of a seat for a rotten borough is greatly reduced, for instance, such mock boroughs as Gatton, Old Sarum, and Midhurst, and others of the like description, did turn in to their respective proprietors the average sum of £3000, per annum; a triennial parliament therefore would only turn in to the proprietors of the rotten boroughs the sum of £9000, whereas, on the contrary, a septennial one turns in £21,000. This makes a most material difference to them; and as they always found a ready market for their rotten commodities, they thought themselves quite in the right, when they enhanced their value by extending the duration of parliament from three to seven years.

These are but a tithe of the advantages that accrue to the anti's from their darling system—the glory of Britain—the Pattern of the World—and which they emphatically

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regard to triennial parliaments, is shortly this, that they repeal the septennial law which their party passed, when they set aside the triennial act. Failing this, we must class them as we have classed their forebears, namely, that they are in office for no other purpose than the promotion of their own party purposes, and getting a share of the loaves and fishes, as the tories have done before them.

the representation; our next will be upon the restrictive corn laws. Previous, however, to entering on that subject, we will present our readers with a sketch upon political economy, a science which, when properly understood and applied, is well calculated to advance the happiness of the human race.

SECTION XVI.

POLITICAL ECONOMY.

THE monstrous absurdity, that there is a principle in the economy of nature, by which population increases beyond the means of support, has been stated by men eminent in various departments of political economy, and countenanced by individuals in whom the soundest reasoning and far-sightedness might have been expected.

There is *not* a principle in nature having a tendency to increase population beyond the means of subsistence, or to over-people the world. To suppose that there is, is to impugn the magnificent designs of the Creator, and to call in question his vigilant and ever-sustaining Providence. When the globe which we inhabit, and all that it sustains in the animal and vegetable kingdoms, was called into existence, and sent forth fresh from the hands of its Divine Constructor, certain fixed principles were ordained and put into unintermitting action, by which all were to be sustained, and prevented alike from coming to a stand, or into collision. These principles involved the production and reproduction of food for man and beast through an incalculable series of ages, and this process of production was left to be excited or retarded in a great measure by man, for whose convenience all subordinate parts were organized, and by whose thinking faculties the increase or decrease of food was apparently to be proportioned. In a word, it

was left to our free-will whether to cultivate the soil, or leave it in its rude and unproductive condition.

It has happened in the course of some five or six thousand years after the creation of the world, that a small island, lying in the seas which border on the northern part of Europe, a spot of earth so comparatively small, that it may be traversed from one end to the other in the space of little more than a week, has, by the artificial state of its society, and a concourse of injudicious regulations, increased in its population to about seventeen millions of inhabitants; and because, as must necessarily be the case from the influence of these regulations, a number of the people are in impoverished circumstances, and are not so well fed as their neighbours, it has, forsooth, pleased a few men in this large mass of humanity, to impeach the God of the universe, and to tell us that He creates millions of thinking beings, only to put them to death by starvation.

To shew the utter fallacy of this detestable theory, I need only bring under your notice two simple facts, in which all such vicious and shallow-minded reasoning finds an insurmountable obstacle to its establishment. It is a great, a comforting, and an undeniable fact, that there are immense tracts of lands, islands, and even continents, which till this hour, are lying in nearly their primeval state, with the soil untouched since the beginning of the world. So boundless are these almost uninhabited territories, so capable are they of sustaining human life, that, if the proper means were used, they would yield food, clothing, and a place of residence to more people than all that the ancient settlements of the human race at present contain. They could hold all the existing population of the earth, and not be filled. Canada itself could receive and maintain the whole of the population of Europe; and the seventeen millions of human beings belonging to the little island which has raised such alarm, might be transported to the banks of one of the mighty rivers in the United States, and it would hardly be known that they had taken up their residence in the country. "Send us over your whole population," says an American writer, "we have plenty of room for you all, and a hundred millions more." But such a gratifying fact as this gives but a faint idea of the vastness, the capabilities, of the world beyond the waters of the Atlantic.

In a former number of the Journal, I honoured these humble pages with the account given by the ingenious naturalist, Audobon, of the wild pigeons of America. Have my readers any recollection of the extraordinary number of these animals, and the calculation made regarding the quantity of their daily food? Let me here repeat and extend the calculation. The number of pigeons seen on the wing by Audobon, as computed by allowing two pigeons to the square yard, was *one billion, one hundred and fifteen millions, one hundred and thirty-six thousand*, and "as every pigeon," says he, "daily consumes fully half-a-pint of food, the quantity necessary for supplying this vast multitude, must be *eight millions, seven hundred and twelve thousand bushels, per day*." The species of food used is the produce of the trees. We thus find, that by a moderate calculation, a single flock of pigeons in the back woods of America, consumes in one day as great an amount of food, whether by weight or measure, as would support the whole seventeen millions of people in Great Britain for at least a week.

The mind is lost in wonder, in contemplation, of so magnificent a fact. The faculty of thought is bewildered in pondering on so striking an instance of the astonishing bounty of the great Author of Nature in providing for the wants of his creatures. Where, where, may we then ask, have the predicters of famine been examining the sources of food for man? On what have their eyes and their thoughts been fixed, that they have passed over this prospect of inexhaustible plenty? It would seem that they have never looked beyond the confines of that little spot of land in the ocean, which I have alluded to, and whose superabundant thousands require only to be transferred to that division on the earth's surface holding out food, raiment, and residence for their gratuitous acceptance, in order that society may right itself.

The above is the *first* fact I have to offer in the elucidation of this important question; and I maintain, in direct opposition to those who have taken a contrary view of the subject—among whom I am sorry to include persons otherwise distinguished for the clearness and comprehensiveness of their views of the social compact—that until the *whole* earth has been peopled, and until it can hold no more, it cannot rationally be said that the means

of subsistence are inadequate for the wants of the population. These means are no more inadequate than that the produce of a kitchen-garden is insufficient to support the family to which it belongs; and if this family be prevented from seeking its subsistence beyond its garden walls, and so be half-starved, their miserable case is exactly parallel with that of this over-populated island. Remove, I would say, all restrictions of a certain description;* do not unnaturally foster population either in a particular part of the country, or at a particular time; LET MANKIND ALONE; and, in the same manner that fluids find their level, so will the redundant population of Great Britain and Ireland be profitably dispersed over territories hitherto untrodden by the footsteps of civilized men.

My *second* fact is more hypothetical, but not less obvious to our understanding. It is an old proverbial expression, that "necessity is the mother of invention." Now, in this sentiment, we discover one of the wisest provisions of Providence. It is only by necessity that mankind, in a savage state, are compelled to hunt, or otherwise toil, for their subsistence. The same feeling predominates through all the ramifications of civilized society. In proportion as the necessities of men spur them on to seek out new means of subsistence, so do these new means of subsistence open upon their view. If we cast a retrospective glance upon those steps which society has traced from its infancy to manhood—from a state of barbaric rudeness, to a condition of luxury and splendour—we invariably find that all improvements have originated in the wants of the people; and that, in proportion as they increased in number, so did they whet their invention, and contrive additional means of support.

It is from this cause that Scotland, for instance, had no greater overplus of food when it had only a million of inhabitants that it has now, when it supports nearly three times the number. Nay, it had much less food in proportion when it had only a million of people; and hence it is proved that mankind, by their inventions and improvements, greatly increase the means of support beyond the

* The Corn Laws.

point at which they formerly stood. The power of seeking out, or inventing, new means of subsistence, just as the old ones are perceived to be inadequate, has been actively at work since the beginning of time, and will operate for the benefit of our race, as long as sun and moon endure.

It is in the exercise of this transcendant faculty of the human mind, that we see the beneficence of the Creator, in providing unseen means of subsistence; and it is in it that we find the cheering hope, that at no period, however distant, even *when* the *whole* earth shall have been covered with inhabitants, shall mankind languish for lack of food. As they go on increasing in number, so will they go on perfecting their contrivances; every succeeding generation may labour under some new difficulty, but so will it be endowed with the faculty of releasing itself from it.

I have been led into these reflections by cogitating on the probable effects of that species of elemental locomotion, in which steam is the active agent, and which appears to come into use for the benefit of our species, precisely at the time that the quantity of food produced in this country has begun to be felt as too limited. An exceedingly instructive volume, illustrative of the commercial, political, and moral advantages of elemental locomotion, by means of steam-carriages on common roads, has appeared in London, from the pen of Alexander Gordon, civil engineer; and on turning over its leaves, I am glad to perceive that the same idea, with regard to increasing the amount of food by the introduction of inanimate for animate power, is insisted upon both by the author, and by those who have been examined on the question by a committee of the House of Commons.

"The substitution of inanimate for animate power," says Mr Gordon, "if not the panacea, which is to cure all the evils of our condition, is, at least, one that comes recommended as a matter of fact—easy of operation, and effectual in its result. If want of food, or, in other words, redundancy of population, be the bane of the country, it does not propose to meet that evil by a visionary project, tending in its operation to unhinge society, tedious in its process, and ending at length in bitter disappointment; but it meets the evil directly, substantially, and effectually, by the substitution of [consumers of] food. And how are

all these immense advantages to be effected? By the substitution of inanimate for animate power.

"At present, the animate power employed in the commercial transportations of this great kingdom, is estimated to amount to two millions of horses. Each horse consumes as much food as is necessary for the support of eight men. Hence the conversion of its consumption to purposes of human existence would, if carried to this practical extent, amount to a quantity of food equal to support sixteen millions of people. Now, the suppression of the stage-horses upon our principal thoroughfares, and of the dray horses in the great commercial towns, may be calculated to economise a saving of food equivalent to the supply of the above number of human beings.

"The reduction of farm consumption, the bugbear of the project, will be met and compensated by a steady and proportionate demand from other quarters; whilst in the United Kingdom the 8,100,000 acres of land now required to feed the horses, together with the capital sunk in their purchase, will, when both applied to other and general purposes, amply compensate for the change. If instead of 20,000 horses, we keep 30,000 fat oxen, butcher meat will be always cheap to the operative classes, whilst the quantity of tallow will of course make candles cheap, and so many hides lower the price of leather. Or the same quantity of land may keep 30,000 cows, the milk of which will make both butter and cheese cheaper to the poor, as well as to the labouring manufacturer. The same thing may be said in favour of more sheep and woollen cloths.

"If, then, elemental locomotion can be made to supersede the expensive unproductive system of animate labour now in use, it will indubitably be for the vital interest of all classes of society, that the substitution should be realized speedily and extensively. That steam can be so applied, has been satisfactorily proved by the report of the committee of the House of Commons, in which it was expressed as an opinion, that 'the substitution of inanimate for animal power, in draught or common roads, is one of the most important improvements in the means of internal improvement ever introduced.'"

It would be needless here to particularize the evidence adduced before the committee, and I may only refer to what was said by Colonel Torrens, M.P. "With re-

spect," says he, "to the demand for labour, that demand consists of the quantity of food and raw materials which can be cheaply obtained; and, as by the supposition the displacing of horses will leave at liberty more food, and more material, the demand for labour will ultimately be greatly increased, instead of being diminished. If steam-carriages could ultimately be brought to such perfection as entirely to supersede draught horses on the common roads, (not including horses used for other commercial, and for agricultural purposes,) there would be food and demand for eight millions of persons. But when we take further into consideration, that lowering the expense of carriage would enable us to extend cultivation over soils which cannot now profitably be tilled, and would have the further effect of enabling us to apply, with a profit, additional portions of labour and capital to the soils already under tillage, I think it not unfair to conclude, that were elementary power on the common roads completely to supersede draught horses, the population, wealth, and power of Great Britain, would at least be doubled.

"In point of fact, superseding horses by mechanical power would have precisely the same effect in increasing the population and the wealth of England, as would be produced were we to increase the extent of the country, by adding thereto a new and fertile territory, equal in extent to all the land which now breeds all the horses employed upon common roads. Such addition to the extent of fertile territory in England, suddenly effected, would, in the first instance, lower the value of agricultural produce, and be injurious to the proprietors of the old portion of the territory; but no person would therefore contend, that if we could enlarge the island of Great Britain, by additional tracts of fertile land, the public interests would be injured by such enlargement. This would be monstrously absurd. It is not less absurd to object to the increase of food available for human beings, by substituting mechanical power for horses."

My readers may now, perhaps, be satisfied with what has been said on a topic which has in various shapes already excited a good deal of controversy, and which appears to have been strangely obscured by the elaborate essays of a certain description of political economists. In my humble opinion, it requires neither books nor intricate

disquisitions to elucidate those principles which govern the production and consumption of food by man. The very simple facts I have here chosen to bring undisguisedly forward, might, I think, convince every one who does not prefer the mystifications of theorists to plain sense and plain truth, that the doctrine as to the means of subsistence having a constant disposition to fall beneath the demand for food, rests on no sure foundation, is irrational in its character, and, in reality, amounts to a scandalous, though perhaps unintentional, libel on the beneficent designs of Providence.*

SECTION XVII.

THE CORN LAWS.

AMONG the many grievances which are expected to be redressed in the Reformed Parliament, are the laws that regulate the importation of foreign corn. That these laws, which a corrupt aristocracy have unconstitutionally enacted, in order to oppress the people of Britain, are grievous, no one who has the least pretensions to sound reason and common-sense will attempt to deny, when once the circumstances under which these oppressive and monopolizing statutes were instituted, are laid open to his view.†

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* Written for the British Peasantry,—extracted from Chambers' Edinburgh Journal.

† It is not a difficult problem to ascertain the annual burden imposed on the community by the corn-tax. It appears from the resolutions submitted to the House of Commons, session 1830, by Lord Milton, that the average price of wheat in this country, in

The circumstances then, under which these laws were imposed, are shortly these: The people of Britain, whom these laws were intended particularly to affect, were in a state of complete non-representation. In a House of Commons, said to be a true representation of the population, intelligence, and property of the empire, and which was composed of 658 members, there were not above five or six who may be said to have represented in reality the genuine interests of the community. In that mock representative senate were assembled nearly three hundred corrupt nominees, of one hundred and forty-four peers, a class of men who had no right to interfere, nor concern themselves in the election of the peoples' representatives, this at once stamps their proceedings with illegality. A number, also, were put in by the government boroughs, which amounted to fourteen, not to speak of those who were put in by boroughmongering commoners, and close town councils, the whole, in fact, forming a majority corrupt enough to pass any measure, however atrocious, which might be proposed to them, by a corrupt and tyrannical government, urged on by an unprincipled and greedy portion of the Aristocracy.

But this was not all. In addition to the unconstitutional circumstances detailed above, almost every one of the boroughmonger's nominees were hirelings, and that too of the basest description. They pandered away the rights of the community to an unprincipled government, and rapacious aristocratical faction; for be it remembered, that in proportion to the value of the vote which was given, was the boroughmongering voter rewarded. Pensions, sinecures, places in the customs and excise, and places of profit under the government, were poured in li-

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the year ending February 1830, had been 64s. 2d. per quarter. The average price on the Continent and in America, during the same period, had been 46s. 3d. per quarter. Now, if there were no restrictions on the importation of corn, the price in Britain would be nearly the same as in Poland or in the United States; but in consequence of the boroughmongers' tax, the price is about 20s. per quarter higher: so that, if the annual consumption of corn by the community be forty-eight millions of quarters, they pay exactly so many pounds additional, in order to swell the rents of the land-owners.

beral profusion into the laps of the constitution-mongers. It was no wonder, then, that the nominees of the Aristocracy came up with such readiness and alacrity to enable them to pass the most iniquitous measures, and that they did so, the oppressive and execrable corn laws are an instance notorious as noon-day.

These were the circumstances under which these commerce-destroying statutes were legislated, circumstances which will at once justify the result which a reforming parliament will, at the last, be compelled to come to respecting them, namely, their total abolition.

The design for which these oppressive laws were instituted are the following:—The Aristocracy being aware that from the extended commerce of this country, that the merchants and manufacturers, in order to find an out-let for their manufactured goods, which they could not do in this country, would take the produce of other countries of which they stood in need, in return, so as to cause more demand, and give constant employment to the people. The Aristocracy knowing this, and seeing that this beneficial system would tend to decrease their revenues, resolved to interdict the merchants and manufacturers. For this base purpose, therefore, a purpose which reflects upon them everlasting odium, they passed, or caused to be passed, by means of an unconstitutional and corrupt legislature, the restrictive corn laws, imposing certain high duties upon foreign grain when imported into Great Britain.*

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* The following are the duties imposed by the Corn Laws:—

Wheat 16s. 5d. a quarter to 1s. according as the price rises from 61s. to 70s a quarter.

Barley 13s. 10d. a quarter to 1s. according as the price rises from 32s. to 40s. a quarter.

Oats 10s. 9d. a quarter to 1s. according as the price rises from 24s. to 31s. a quarter.

Beef, lamb, mutton, pork, sheep, and swine are prohibited to be imported, by 6 Geo. IV. c. 117.

While the land-owners have been strenuously exerting themselves to close, hermetically, if possible, the home market against foreign agricultural produce, they have, with admirable consistency of policy, been, at the same time, endeavouring to throw it wide open for the admission of foreign manufactures. This places their

These duties, then, were not so much intended to raise the price of British corn, as they were intended to protect the British land-owner, for they directly enabled him to receive the full value of his produce, without the risk of foreign competition. Now, it must be obvious to every one, that the boroughmongering land-owners have made themselves quite safe, so far indeed as their own interests were concerned. But how, we ask, did they do with those belonging to the people of Britain? Did they enact that while foreign grain was to be taxed, in order to cause home grain to meet a fair and ready sale, the price of home grain should be at the same price as foreign? Not they; they knew that by shutting the ports against foreign grain, they could raise home grain to such a price as would make the produce of their lands nearly double to what it was in former times. This then was, and is still, the great design of the Aristocracy to serve themselves, and to protect their own *insignificant* interests, at the combined expence of all the other classes in the community.

Need we ask if such a system of legalized robbing and plunder, on the part of the Aristocracy, would have been tolerated if the British people had been truly and honestly represented? Need we ask, if the great commercial and manufacturing interests (those interests to which, under Divine Providence, Britain owes her glory and her strength) would have been so recklessly sacrificed, if these stupendous and paramount interests had been properly and efficiently represented? No: there are very few men now, even among the Aristocracy themselves, but know, that these laws are scandalous, impolitic, and unjust—a disgrace to the age in which we live, and that they never would have been enacted, had the people of Britain been represented as they ought and deserved to have been.

We will now lay before our readers an extract from one of the best of the Aristocracy, it is from the pen of Lord

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conduct in a most conspicuous light. Surely, if a free trade in manufactures was for the benefit of the community, so was a free trade in the produce of the soil. But, then, our feudal Solons do not deal in cotton, nor silk, nor hard-wares, they are only dealers in corn, and that makes all the difference.

Milton, a nobleman not more celebrated for his liberal principles, than for his exertions in the cause of reform. It is from a letter addressed by him to the electors of Northampton; consequently it is worth the notice of all who do not properly understand the nature of this very important subject:—

"GENTLEMEN,—I will now state the different modes in which I conceive the corn laws to be injurious, and the reasons why I wish them altered. They are threefold. *1st*, I think the corn laws injurious to the tenantry. *2nd*, I think they are oppressive upon the manufacturers. *3rd*, I think they impede commercial intercourse. Besides the objections which are strictly referable to one of these three heads, there are some of a mixed character, to which I shall allude hereafter. I shall here begin with the last objection.—The anti-commercial character of the corn laws. If a nation either prohibits directly the produce of any other nation, or makes such arrangements as have indirectly prohibited that produce, it follows that the export of its own commodities to that nation, is prohibited in a corresponding degree. The objects of trade are so multifarious, and the paths of commerce so circuitous, and so false a value is set upon money, that this proposition is involved in some obscurity. When proposed to persons who have not accustomed themselves to such speculations, they are apt to imagine that a country can prohibit the import of foreign articles, without impeding the export of its own produce. It will therefore be useful to consider commerce in its simplest form. Suppose a dealer whom we call John, has a commodity to dispose of, which we call Y; that another dealer whom we call William, has a commodity called X, to dispose of, and is desirous of obtaining Y, of which John is in possession; in this case John transfers Y to William, and receives X in return from William. If the values of each commodities are equal, the transfer of one to the other completes the transaction, and the commerce between the two parties is equally beneficial to both, because each of them acquires what he wants, and disposes of what he does not want. In this case it is perfectly clear that if John refused to receive X from William, he would prevent himself from selling Y to William, and both parties would lose by the refusal of John, because each of

them would keep what he does not want, and would deprive himself of what he does want.

"Permit me now to exemplify the proposition by a case which has actually occurred. France was in the habit of importing a great deal of iron from Sweden, and of exporting wine to Sweden. France wished to encourage or protect, as it is called, her own iron manufactures, and imposed heavy duties on Swedish iron; of course the import of Swedish iron into France was checked, but the import of French wines into Sweden was also checked, and both nations have suffered. France cannot dispose of her wine, nor Sweden of her iron. These two cases, of which one is hypothetical, the other real, are examples of commerce in its simplest form, and the results must come home to every man's understanding. When trade is complex, more attention is required to discover the results of prohibitions, but the same results follow with the same certainty. Supposing John is desirous of selling Y to William, and William has nothing to give in return, but X, which John does not want, but Richard has a commodity, Z, of which John is in want. In this case William pays John for Y in money or bills, with which he, John, goes to purchase Z of Richard. William pays John in money or bills. The money or bills he has obtained by selling his X to Richard, for though John did not want X, Richard did. In this case, if William refused to receive Y from John, he would not transfer the money or bills to John, but the money or bills are necessary to enable John to purchase Z of Richard, and they are equally necessary to Richard, in order to enable him to purchase X of William; so that, the refusal of William to receive Y from John, would, in reality, be as perfect a prohibition upon his own commerce, and upon the export of his own commodity, as in a case where the exchange between the parties is direct.

"Instead of three parties, as I have supposed in this case, let there be four or five, or forty or fifty, and a corresponding number of commodities, it will be more difficult to trace the progress, and in the compass of this letter, it would be impossible. But I am sure it will be obvious to you, that however it may elude our observation, the same effect is most certainly produced. A prohibition, therefore, upon the entry of foreign goods, is, in fact, a prohi-

bition upon the export of our own goods. So much for the anti-commercial character of the corn laws.

Second, It is oppressive upon the manufacturers. The weight with which they press upon manufacturing industry, is more obvious and more generally acknowledged. A law which raises the price of provisions, must either be followed by a rise in wages, or by a fall in the condition of the labourer. In either case, it is injurious in the latter. It affects directly the comforts of the people. In the former, it decreases the profits of capital, and disables the British manufacturer from competing successfully with the foreigner. I shall here trespass no longer upon your time, except to remind you that farmers and ploughmen who make corn, are just as truly manufacturers, as weavers, cordwainers, and forgemen, who make cloth, shoes, and iron, and that their interests are governed by the same rules.

I come now to the objection which I stated last, viz. the injury which the corn laws inflict upon the tenantry.* To this class of persons I conceive that it is not only injurious, but absolutely disastrous; and in support of this opinion, I appeal to facts which are as well known to you as to me. The policy and object of the corn law is to keep the price of wheat above, or to prevent its falling below a certain level. This has been the object, both of the law of 1815, and that of 1828, though they have differed both in the levels they have assumed, and in the methods by which they have endeavoured to keep those levels. The prosperity of the agricultural classes was supposed to require this system of protection, as it is called. How it has protected them, I appeal to the history of the last seventeen years. That period has teemed with events

* The signs of the enlightenment of the people on several topics to which they were, a few years back, complete strangers, multiply upon us so fast, as hardly to give us opportunities of recording them. It is not long since that considerable numbers really thought that the national welfare was concerned in the exclusion of foreign corn. This was the case with many superficial thinkers not connected with the landed interest, although, undoubtedly, it was chiefly the might, and not the right of the talkers, that carried the question in 1815. Thank heaven! the ignorance which then existed is passing away like mist before the glorious luminary of day.—*Sun.*

which prove, that it has been any thing but a period of agricultural prosperity.*

"The distresses of 1821 and 1822, must be fresh in your recollection. The fluctuations of the whole period are well known to you, and probably you will bear me out in the assertion, that the changes in the tenantry of the country have been greater and more frequent during that time, than in any other period of equal duration. If these be the facts, and they cannot be denied, you must at once return a verdict of guilty against such a system, which either produces, or does not prevent such effects. They are indeed inseparable from it. By preventing a free and regular commerce in corn, they cause and aggravate the fluctuations in its price, of which the farmer cannot take advantage, though the corn-merchant does. The farmer cannot take advantage of these fluctuations, because he is, perhaps, obliged to sell his corn when the price is low; whereas, the corn-merchant, if he has a sufficiency of capital and of knowledge, purchases his corn at a low price, imports it at a low duty, and, of course, sells it at a high price. Out of 1,088,797 quarters, entered for home consumption in 1831, 968,921 quarters paid a duty of 6*s.* 8*d.* or less, a considerable portion of it, 309,077 quarters, having paid the extreme low duty of 1*s.* per quarter. It appears to me, then, that this is a system for corn-merchants, not for farmers; and though I have every possible respect for this most useful class of persons, I am very unwilling to give them a bonus at the expense of the rest of the community.†

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* If Noah had shut himself up in his ark, and let his family eat nothing but what could be grown upon his decks, he would soon have had an outcry against population, and an emigration committee; and Shem, Ham, and Japhet, would have been distressed manufacturers! . . . . . A commercial and manufacturing nation has, or ought to have, like Noah, no limit but the world. What *he* was to do by digging, *it* can do by spinning, and inducing other men to dig. . . . . What is clear, is, that the felicity of the existing generation depends upon progression, as it did with Noah. It can make no difference except in the size of the experiment, whether men be confined to corn of an ark or of an island.—*Catechism on the Corn Laws.*

† A great deal has been said upon the necessity, in the case of the corn laws being repealed, of making compensation to the

"But there is another point of view to which I must draw your attention. The corn laws hold out to all persons concerned, that corn ought to fetch a certain price in all transactions, therefore between landlord and tenant, that price is assumed as the basis of the agreement. Land-owners, land-occupiers, land-surveyors, proceed upon this assumption—rents are fixed accordingly—but prices are not obtained accordingly—the tenant falls into arrears, and after a few years of ineffectual struggle, he quits his farm to make way for a successor, for whom the same tale is to be told.

"You know full well that this is no false nor exaggerated picture; I ask, therefore, with perfect confidence as to the answer, whether this is a system, in the continuance of which, the tenantry have an interest? I repeat that it is not only injurious, but disastrous to them. It fills them with false hopes; it raises expectations which are not, which cannot be realized, and ruin is the consequence—ruin to the tenant, and distress to the landlord.

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land-owners and farmers from the loss which it is feared they will sustain from their abolition. Now, this may be all very fair, and perhaps reasonable in some instances, but we do not see where the necessity is of every one receiving compensation, and indeed we very much question the propriety of granting compensation at all, and that for this plain reason, that the land-owners, farmers, and corn-merchants have been receiving benefit from this odious tax, while the sixteen millions of the people of Britain and Ireland have been groaning under a depression of trade, principally caused by the unfair operation of these obnoxious laws, and which ought never to have existed. Yes, the three parties abovementioned have received the cream, while the rest of the community have been obliged to be content with the refuse, and all because the Aristocracy had unconstitutionally usurped the franchises of the people, in order that they might have the better opportunity of enacting laws to oppress them. Indeed, they may be said, one and all of them, to have received compensation enough by the benefit that has accrued to them, in preference to the rest of the community, by their intolerant and commerce-destroying system. Did the borough-mongers ever propose compensation to those whom these laws were intended to deprive of the necessaries, comforts, and conveniences of life? Not they; if any compensation was proposed, it was that of banishment, imprisonment, or the gallows. Now, since the people have obtained the power, they have more of the feeling of humanity than to pay them back in *kind*. Let them abolish the corn laws, and that is all we want.

The landlord himself is as much deceived as his tenant; and unless he is a man of great prudence, he launches into expenses, justified, indeed, by the nominal amount of his rental, but which the rents actually received do not enable him to meet. The effect, however, of the corn laws upon the land-owner, is not one of the grounds which I stated as constituting my objections to them, they may, to a certain extent, be beneficial to him. Though I believe that benefit is greatly overrated, I shall, in conclusion, only remind you, that my hostility to the corn laws is founded upon settled conviction,—that they impede commerce; that they oppress the manufacturers; and that they injure the agricultural tenantry."

In a later publication, the same Noble Lord states, with respect to the tenantry, that,—"Relying upon the wisdom and upon the power of the legislature, they were induced by it to expect those prices for their produce, which the law, and the proceedings which led to its enactment, held out as the prices of grain to be maintained in this country. They entered upon, and continued upon farms, the rents of which were founded upon the prices held out to them by an Act of Parliament. If prices rose to an extravagant height, as they did in 1817, in consequence of the deficient harvest of 1816, the expectations of the farmers and land-valuers were raised still higher; while, on the other hand, if they fell below the parliamentary standard, the fall was attributed to some accidental and transient cause, and was disregarded in fixing rents, both by the landlord, the valuer, and the tenant.

"During the interval from 1815 to 1822, the farmer experienced the most extraordinary fluctuations in the price of his merchandise—fluctuations arising from the variations of the seasons, but aggravated by the state of the law, which either prohibited, or indiscriminately admitted, foreign corn. What, however, I am particularly anxious to direct your attention to is, the utter inefficiency of the law to accomplish either of its two purposes—of protecting the farmer from too low, and the consumer from too high a price. In the spring of 1817, wheat sold at 120*s.* a quarter; in the winter of 1821-2, it sold at less than 40*s.* a quarter, the average of the year 1817, being 94*s.*, and that of 1822 being 43*s.* The highest price in Oxford at Lady-day 1817, was 148*s.*; at Michaelmas 1820, 66*s.*;

at Michaelmas 1822, 52*s.* a-quarter. The consequence of this state of things cannot have escaped your recollection. Great difficulties had been felt by the agricultural interests in 1814, 1815, and 1816; but the difficulties of all former years were surpassed by the distress of the winter of 1821-2. The insolvency of tenants at this period was unparalleled in the history of the agricultural classes, and the inefficacy of the act of 1815, was so universally acknowledged, that an alteration in the law was made in the session of 1822; but the alteration being contingent upon circumstances which never occurred, no permanent practical change took place till the year 1828, when the present system was adopted. During that period, therefore, from 1815 to 1828, the prohibitory system of 1815 was in virtual operation. How far it secured you from a diminution of rental, your tenants from insolvency, and your estates from injury, every land-owner in England can testify. I am here, however, principally entreating your consideration to the effects produced upon the agricultural capital of the country. Year after year the value of the farmer's produce had been diminishing, till it fell to little more than half the price at which Parliament considered that he could be remunerated for his industry. Year after year he was deluded by fallacious hopes, excited by the law itself; his rent was paid out of his capital, instead of out of his profits, till that capital became insufficient for the proper cultivation of the land; and then you yourselves began to feel the calamity by which many of your tenantry had been already overwhelmed.

"It cannot be alleged that these disasters, in which landlords and tenants participated, were occasioned by the want of adequate protection; for, during the whole of this period, their interests were protected by that very law, which, at the time of its enactment, was considered sufficient for its purposes, by those who went great lengths in favour of the protecting system."

There is no argument more triumphantly insisted in by the enemies of free trade, than the prosperous condition of the country during the war; and it has been very generally assumed that the labouring classes are in a much better condition when corn is high in price, than when it is low. Lord Milton, however, has made extensive inquiries in different parts of England into the low rate of

wages, as compared with the price of grain at different periods, and has completely overthrown the above argument.*

"During the ten years that elapsed from the year 1805, to the year 1814, both inclusive, the lowest yearly average of wheat was 9*s.* 2*d.* a-bushel (in 1807); the highest was 15*s.* 8*d.* (in 1812); the mean price is 12*s.* 5*d.*; while the average of the whole period is 11*s.* 6*d.* Now, it appears from accounts kept in different and remote districts, which I have had an opportunity of examining, that in one of them, which is partly a manufacturing country, the highest wages given to agricultural labourers during the above-mentioned period, was 15*s.* a-week (1813); and the lowest 11*s.* a-week. From 1814 to 1824, they were generally 13*s.* or 14*s.*, and occasionally 15*s.* never falling below 13*s.* Since 1824, they have been at 14*s.* and 15*s.* In another district (purely agricultural) the wages of farming labourers, from 1809 to 1815, were 12*s.* a-week, and those of women, 5*s.*; in 1820 they were 12*s.*, and those of women 4*s.* 6*d.* In a third purely agricultural district, the highest wages given in the month of May, since the commencement of the war in 1803, were 14*s.* a-week (in 1812, 1813, and 1814), and the lowest 9*s.* (in 1823). The highest average price of wheat, in the same period, was in 1812; the lowest in 1822.

"Let us now make some comparison between these wages and prices. The weekly consumption of wheat in a labourer's family, consisting of himself, his wife, and three children, may be stated at about two-thirds of a bushel; the amount of their enjoyments will, therefore, depend, *cæteris paribus*, upon the excess of the weekly wages above the price of two-thirds of a bushel of wheat.

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* Francis Jeffrey, vol. xxxiii. page 180, of the Edinburgh Review, year 1820, states, that the abolition of the corn laws would have the same effect as the extinction of the national debt—and argues, that nothing should stand in the way of this abolition. He sees no reason why nine-tenths of society should pay a monopoly price for their food, only to enhance the rental of the other tenth; and he gives it as his firm conviction, that the total abolition of the corn laws will save the country from the abyss of poverty and misery to which, if it had not already arrived, it is fast hastening.

Now, that excess was the greatest in 1814, viz. 7*s.* 11*d.*; and the least, in 1810, 1*s.* 2*d.*. It will, however, be safer to draw our conclusions from periods of a moderate length, than from single years. Five years are, probably, as fair a period as can be chosen; and the year 1810 (as the point of the highest alleged agricultural prosperity) will not improperly be taken as the centre year of one of these periods. Comparing then the wages, as stated in the annexed tables, (in which the wages are those given in Northamptonshire, and the prices those for all England,) with the price of two-thirds of a bushel of wheat, it appears, that in the first period of five years, ending with 1807, the average excess of the weekly wages above the price of two-thirds of a bushel of wheat, amounted to 4*s.* 1*d.*; in the second period, ending with 1812, it was 2*s.* 10*d.*; in the third, ending with 1817, it was 5*s.* 8*d.*; in the fourth, ending with 1822, it was 5*s.* 10*d.*; and in the last, ending with 1827, it was 5*s.* 4*d.* It necessarily follows from this statement, that the period which is uniformly cited as that of the greatest agricultural prosperity, was precisely that in which the surplus income of the labourer was the smallest, and consequently, that in which the comforts of the agricultural population were the most abridged."

The pernicious effects of dear food on our manufactures is very clearly pointed out. It is shewn, that in the manufacture of many articles, from 60 to 90 per cent. of the cost arises from the wages of our workmen. The immense consumpt of corn by our artificers is shewn, and the injurious consequence of a check to their employment—even to the land-holders themselves—explained. Coming from the heir of one of the greatest land-holders in the kingdom, this address must be attended with great effect, more especially as Lord Milton supported the corn law of 1815; and it has only been after mature deliberation that he has become convinced of the impolicy of the present system.

To conclude, let but the people second, with energy, the patriotic exertions of their able advocate, Lord Milton—let them remember that on the repeal of the odious trade-enthralling corn laws, depends their future prosperity as a great commercial nation, and even in a great measure their individual happiness—let them put their shoulders to the wheel, and that too, as one man, with heart and good-will,

and they will be successful—in having these aristocratic and bread-taxing statutes repealed.

SECTION XVIII.

EAST-INDIA COMPANY.

AMONG the various monopolies and privileged communities which impede individual enterprise and national prosperity, the East-India Company stands pre-eminent—it forms one of the out-works which upheld the late rotten borough system; and, by its various connections and interests, adds greatly to that mass of influence by which the latter was supported. This powerful association has become more like a petty state, acknowledging a feudatory dependence on the sovereign chief, than a company of traders, originally incorporated for commercial purposes. It has risen from very humble beginnings, and perhaps it would not be easy to strike the balance of turpitude by which its power has been acquired. It has been nurtured under the foster-

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* A tax upon bread is the most oppressive and unjust that could be imposed on the industrious classes. A man with £50 a-year, consumes individually, as much bread as a man with £50,000, and consequently, sustains as great an annual loss by the artificial enhancement of its price. All taxes on articles of ordinary consumption fall in the same disproportionate manner. They are like the fixed per centage on income, levied indiscriminately on every person, without regard to large or small revenues. Sugar, tea, and malt, are articles of general use; and the labourer and artizan contribute exactly in the same proportion as a lord on their individual consumption of those commodities. In fact, it is to duties of this description the Aristocracy have always shewn a marked partiality; the excise, it is known, being the most productive branch of the revenue. Mr Pitt used to say, that the high price of labour in England was chiefly from the excise; three-fifths of the wages of a poor man passing into the exchequer. But no such proportion of the incomes of the Aristocracy flow into the public treasury.

ing care of the Oligarchy, to which, under particular emergencies, it has been indebted for assistance; and probably it is from a knowledge of this obligation, that this chartered body feels such a lively interest in the safety of the state, that whenever any popular movement indicates proceedings hostile to the government, it is instantly alarmed, and immediately places itself in an attitude of defence. Consequently, the East-India Company claims particular attention, from the period having arrived about which its charter expires, and the legislature will shortly have to determine its future immunities, and the relative position in which it is to stand to the government and the community.

Before entering on the exposition of the present state of the East-India Company, it will be proper to give a brief outline of the history of this powerful association, and briefly indicate these extraordinary events by which a few traders in mace, nutmegs, and ginger, have been able to extend their sway over 120 millions of inhabitants, whose happiness depends on their wisdom and justice. In giving this notice, we shall enter into no detail of Asiatic triumphs, of battles and sieges. We have little taste for these things at best, but still less when the combatants are unequally matched,—when we should have to present a counterpart to the conquest of Peru and Mexico by the Spaniards,—exhibit the conflicts of wolves and sheep, and shew how a handful of crafty, hardy, and unprincipled Europeans wrested a mighty empire from the feeble grasp of the artless and effeminate Hindoos. Leaving out, therefore, with one or two exceptions, all military details, which in justice ought never to have formed a part of the history of the East-India Company, we shall confine ourselves principally to the civil transactions of this association.

The first attention to the India trade appears to have been attracted by the success of the Dutch merchants. These rapacious traders having supplanted the Portuguese in that part of the world, had an entire monopoly of the trade, and availing themselves of the exclusive possession of the market, exacted exorbitant prices for the productions of the East. To frustrate their avarice, and obtain same share in the lucrative traffic, the merchants of London despatched a mission to the Great Mogul, to obtain from him a grant of commercial privileges to the English. The success of this mission was not known till the year

1600; but in the mean time, the lord mayor, aldermen, and other principal merchants of the city, to the number of 101, assembled at Founders' Hall, and established an association for trading to India, for which they subscribed a capital of £33,133. This may be considered the germ of our Indian empire.

Queen Elizabeth granted a charter of incorporation to several merchants of the city, with the privilege to trade, exclusively, to all parts of Asia, Africa, and America, for fifteen years. The capital of this company amounted to about £70,000. They fitted out four ships, the best in England, of the burden of 240, 260, 300, and 600 tons. The value of the ships' stores and provisions, of the merchandize forming the cargoes, and of the bullion, was estimated at £68,373.

This expedition was tolerably successful, brought home valuable cargoes of merchandize, and succeeded in establishing factories at Bantany, and on the Moluccа Islands. But, notwithstanding the success of this undertaking, no great effort was made to follow it up, and for several years after, the trade and capital of the Company gradually declined. In 1606, only three ships were fitted out. In 1608, the Company having subscribed a capital of £33,000, for a fourth voyage, the whole of their ships were either wrecked in India, or on their voyage home. Next year they were more fortunate, and their ships bringing home a valuable cargo of mace and nutmegs, they divided a profit of 211 per cent. Encouraged by this success, the Company solicited the renewal of their charter, and seemed resolved to push the trade with spirit. They built the largest ship that had ever been constructed in England for commercial purposes, being no less than 1000 tons burden. King James and his court attended the launch, and named her *The Trade's Increase.*

Unfortunately, this vessel was lost, and Sir Henry Middleton, her commander, soon after died of grief. The trade subsequently declined, for which various causes may be assigned. The rivals of the Company, the Dutch and Portuguese, made use of every expedient their malice and treachery could suggest, to impede their success; besides which, we may add, the erroneous principles on which the different voyages were undertaken. Instead of the trade being conducted upon a joint-stock, on account of the

whole Company, every individual was privileged by the charter, to subscribe as much or as little as he pleased, or nothing at all, for every voyage. The inconvenience and absurdity of this principle had become obvious; and in 1613, it was determined to have no more separate voyages, but to open a subscription for a joint capital, to continue for four years. Under this system the affairs of the Company assumed a new aspect, and in a very short time they had established more than twenty factories in different parts of the Mogul's dominions, and the islands in the Indian seas.

In 1616, when they proposed to raise a new capital, all ranks crowded into the subscription, which, at the time of closing it, amounted to £1,629,040, being the largest capital that had ever been subscribed in any part of Europe, for a joint-stock trade. Among the subscribers were fifteen dukes and earls, thirteen countesses, eighty-two knights, including judges and privy counsellors, eighteen widows and maiden ladies, besides clergymen, physicians, merchants, tradesmen, and others without any denomination; in the whole 954 subscribers. The stock of the Company sold for 203 per cent. The total value of their property, at this time, was estimated at £400,000; and it was stated by the deputy-governor, that they gave employment to 10,000 tons of shipping, 2500 seamen, 500 ship-carpenters, and 120 factors in India.

In 1669 the Company received two canisters containing 143½ pounds of tea, which is supposed to have been the first importation of this article from any part of the Indies. It was partly given away in presents, and partly consumed in the India-House for the refreshment of the committees.

In 1676, the trade of the Company having been very successful for many years, they were enabled, out of their accumulated profits, to double their capital to £739,782, upon which the market price of their stock, which had been under par, immediately rose to £245 per cent. The ships in their employ amounted to from thirty to thirty-five, of from 300 to 600 tons, and carrying from forty to seventy guns. In the year 1680, the company sent a ship to trade with China. The whole of that trade had heretofore been monopolized by the Dutch and Portuguese. About this time they acquired the privilege to coin money, not resembling British money, at Bombay and other places

in India. The Company consisted of 600 members, who were entitled to votes in proportion to their shares; hence it happened that some had to the amount of sixty votes: every member, moreover, had liberty to carry on trade on his own private account, to the extent of one-fifth of his stock in the Company's capital.

In 1698, the English factory obtained permission to purchase three small villages, extending in all about three miles along the east bank of the Ganges, and about one mile back from it, for which they agreed to pay annually to the Nabob 1195 rupees. This paltry acquisition was the commencement of the territorial aggrandizement of the Company, by which they were afterwards enabled, assisted by fraud and force, to extend themselves over the whole Mogul empire. The ground on which these villages stood, forms the site of the great city of Calcutta, containing 600,000, inhabitants.

Some jealousy, about this time, began to be entertained at the increasing power of the Company; and the government intimated to the association, that a large sum would be expected for the public service, in consideration of a parliamentary confirmation of their privileges. They offered to advance £700,000 at an interest of four per cent. provided their charter were fully confirmed by parliament. Meanwhile several opulent individuals offered to advance £2,000,000, provided they were invested with all the privileges of the India trade, as heretofore enjoyed by the Company. Parliament accepted the larger sum, though at double interest, and a bill was ordered to be prepared for incorporating the subscribers. The Company, not to be outdone by their opponents, then proposed a loan of £2,000,000, but this availed them nothing. The government was favourable to the opposing interest, and they prevailed. So great were the advantages anticipated by the nation from the new association, that the subscription of two millions was filled up within a few days after the books were opened. The greatest part of this sum was subscribed by foreigners. The king himself was an adventurer to the extent of £10,000.

The charter of the original Company had not yet expired, and a most ruinous contest ensued betwixt the rival associations. More than sixty ships are said to have been employed by the contending interests in the India trade.

The glut of India goods, joined to other causes produced by this rivalship, reduced the value of the stock of the old Company, which had been as high as 500 per cent., to 39 per cent. Both parties at length seem to have discovered the ruinous tendency of this contest, and a union was effected in 1702, by a tripartite indenture, wherein Queen Ann, the old Company, and the new Company were partners. According to this instrument, the two Companies bind themselves to have at least one-tenth of their exports in English manufactures, and after the expiration of seven years they are to be called "*The United Company of Merchants of England trading to the East Indies*," which is their present designation.

In 1766, the Company, in consequence of their territorial acquisitions, raised their dividends from 6 to 10 per cent, and shortly after to 12½ per cent. In 1779, the time for the renewal of the charter approaching, the company prudently prepared for that event, by a present to the public of three seventy-four gun ships, besides a large sum of money in bounties to 6000 seamen. Notwithstanding this bonus, in 1780 notice was given to the Company, by Government, that, on the expiration of their charter, their exclusive privileges should cease, unless they would agree to pay £1,000,000 into the exchequer, restrict their future dividend to 8 per cent. and pay three-fourths of the surplus profits, over and above that dividend, into the exchequer. After much discussion, the demand for the renewal of their charter was reduced to £600,000. This renewal was to continue till the 1st day of March, 1791, when, on the payment of the debt due by Government to the Company, their exclusive privileges should expire.

The affairs of the East-India Company, and the transactions in Hindostan, began deeply to interest the public, and every session of parliament produced some new investigation on this important subject. From merchants, the company had risen into sovereign princes, and instead of being occupied with the ginger and pepper trade, they were wholly absorbed in schemes of territorial aggrandisement. Occupied unceasingly in war—buying and exchanging territory—making treaties of partition—hiring troops to the native princes—establishing monopolies—and fomenting hostilities among the nabobs and subahdars, that these short-sighted princes, after weakening each other by

their mutual animosities, might fall an easy prey to the superior policy of the common invader. These avocations ill comported with the commercial character, and it was a little inconceivable how men, whose knowledge, it may be supposed, was principally confined to making out invoices, bills of lading, or book-keeping by double entry, could discharge these royal functions.

In 1783, Mr. Fox introduced his famous India Bills, the general objects of which were to divest the company of their administrative functions—to prohibit them from making war, unless in self-defence—from making treaties of partition—hiring troops to the native princes—and every illegal present was to be recoverable by any person for his own benefit. These provisions sufficiently indicate the prevalent abuses. They were opposed by Mr. Pitt, then out of place, an oppositionist and reformer. The question agitated the whole nation; and such was the outcry raised by the company against the pretended violation of their charter—representing such a precedent as endangering the security of all the corporations in the kingdom,—that they finally prevailed, and the bills, though passed in the Commons, were rejected by the *Lords*.

Next year a dissolution of parliament and change of ministers having taken place, Mr. Pitt introduced a new bill for the better government of India. Many of the provisions of this bill were similar to those of Mr. Fox's. The most important difference related to the appointment of the Board of Control. The commercial affairs and territorial possessions of the Company, were to continue in their hands, subject to the superintendence of a board of commissioners appointed by the Crown.

The next subject of any interest is the trial of Warren Hastings. This gentleman had presided over India thirteen years, and arrived in England on the 16th of June, 1785. On the 26th of the same month, Mr Burke, who had brought heavy accusations against him in the preceding session, gave notice of his intention to impeach him for high crimes and misdemeanours, alleged to have been committed in India. After long debates in this and succeeding sessions, the prosecution was sanctioned by the Commons, and in 1787, articles of impeachment were sent to the Lords. The trial was protracted from year to year, till 23rd of April, 1795, when the accused was acquitted,

on the payment of his fees, of all the charges preferred against him. The Company, in consideration of the services of this officer, discharged the expenses he had incurred by the prosecution, amounting to upwards of £70,000, and settled upon him an annuity of £5000.

In 1793 the charter of the Company was renewed, and their exclusive privileges continued to them until the first day of March, 1814. In this act a clause was inserted to restrain the belligerent propensities of the Company's servants, but it appears not to have been much regarded. In 1792 Tippoo Saib was despoiled of half his dominions, and compelled to deliver two of his sons into the hands of the Marquis Cornwallis, as hostages for the performance of a treaty by which he engaged to pay £1,600,000 in money to the Company. In 1799 this prince was again attacked by Lord Mornington, now Marquis Wellesley, under pretext of having entered into negotiations with the French and some of the native princes, for the entire expulsion of the English from India. This war completed the destruction of the Sultan. His capital of Seringapatam was taken by assault, himself slain in its defence, and his dominions dismembered. His descendants are now supported by pensions payable by the *ci-devant* dealers in mace and cloves.

The Company having obtained possession of the different members of the Mogul empire in 1803, completed their conquests by attacking the Mogul himself in his capital of Delhi. This monarch and his family were also placed upon the pension-list of the Company.

We shall only mention a few more facts connected with the Company's history till the opening of the trade in 1814. By the 29 Geo. III. c. 65, they were authorised to add one million to their capital stock. The new stock being subscribed at 174 per cent. produced £1,740,000, which raised their joint-stock to five millions. In 1793, they were authorized to add another million to their capital by subscription, making it £6,000,000, its present amount. This additional stock produced £2,000,000, being subscribed at 200 per cent.

In 1797, valuable concessions were made to the Americans, with regard to the India trade. They were permitted to carry on trade with the Company's territories in India, in articles not prohibited by law, on paying only the duties

paid by British vessels. These advantages were not neglected by the Americans. In a few years the trade of the United States in India equalled nearly one-half the trade of the Company. It was singular policy to admit a foreign state to the participation of the India trade while our own merchants were excluded.

In 1803, during the alarm of an invasion, the Company, at a general court, came to a resolution to present to government 10,000 tons of shipping to guard the coast, and to be maintained at their own expense. In the years 1808 and 1809, the Company lost four outward-bound and six homeward-bound ships. The value of the ships and cargoes was estimated at two millions.

We have now mentioned the most important facts in the history of the East-India Company till the year 1813, when the exclusive privileges of this association were in part abolished. Prior to that time, private traders were not wholly excluded from the India trade. By the 17th clause of the act of 1793, the Company were obliged to appropriate 3000 tons of shipping for carrying out goods belonging to private merchants and manufacturers. The act of 1813 continues to the Company the revenue and territorial acquisitions in India, and the exclusive monopoly of the China trade; but the trade to India, subject to certain restrictions and regulations, is thrown open to the enterprise of individuals. These immunities were conceded to the Company until 10th April, 1831, absolutely, and afterwards, until three years' notice be given by Parliament, and the debt due from the public to the Company be paid.

SECTION XIX.

TERRITORIAL REVENUES AND COMMERCE OF INDIA.

The fiscal system of India is distinguished by a peculiarity which is without parallel in Europe. The rental of the soil, in lieu of being monopolized by an oppressive aristocracy, is applied to defray the charges of government, the support of a military force, and the expence of the

judicial administration. The Hindoos are, happily, unacquainted with the custom-duties, the excise-duties, and assessed taxes, which weigh down industry and abridge enjoyments in Britain. In the East, the state takes about one fifth of the gross produce of the land, and that satisfies nearly all its wants. Other taxes are inconsiderable; as the transit-duties, stamps, licenses, and judicial fees. The monoply of salt and opium is also a source of income. But the principal source of revenue is the land-tax, which constituted the only rent payable by the cultivators of the soil, under the Hindoo and Mahomedan sovereigns.

The gross revenues of India, in the year 1827, amounted to £23,383,497; the expenditure, inclusive of the interest of the debt, to £23,323,179. The chief items of expenditure are the military, civil, and revenue establishments; salaries, pensions, superannuation-allowances, and stipends payable to deposed princes.

The total amount of territorial debts in India, in the same year, was £42,870,876; the interest of the debt £1,749,068. By some writers the debt of India is considered to operate in the same way as the borough-debt in Britain; by rendering a large class of persons interested in the permanency of the British power. This is a one-sided view of the question, which it is hardly worth while stopping to answer. Creditors may feel an interest in their debtors, of the same kind as that which subsists between a lord and his vassal; but this sort of relation does not tend to increase mutual attachment. A government, by incurring debt, may create a partial interest in its stability, but this advantage must be far more than counterbalanced by alienating the vast majority, in consequence of the additional burthens which the debt renders necessary; and, in the foreign transactions of such a government, its power and influence are weakened by a knowledge of its financial encumbrances.

Leaving, however, this matter as irrelevant to our immediate purpose, let us continue the inquiry into the finances of India. The Company have never been able to realize a surplus revenue from their territorial possessions. All the income they have derived from Indian taxation has been expended in defraying the salaries of their servants, in the maintenance of a numerous army;

and other establishments necessary to the preservation of their power. The only source of surplus income for the payment of the interest of their capital stock, and other outgoings, has been the *commercial profits* arising from their exclusive privileges. The nature of these profits it will be proper to explain, in order to prepare the way for a few observations on the renewal of the Company's charter.

The commercial profits of the Company are chiefly derived from their monopoly of the trade *in tea*. The following statements shew the difference between the prime cost of tea at Canton and its price at the East India sales in London, from which an estimate may be formed of the profit on this article:—

Tea purchased at Canton.

Years.	lbs.	Prime cost. £	Average price per lb.
1824-25	28,697,088	1,906,866	1*s.* 4*d.* nearly.
1825-26	27,821,121	1,729,949	1*s.* 3¼*d.*
1826-27	40,182,241	2,368,461	1*s.* 2*d.*
1827-28	33,269,333	2,086,971	1*s.* 3*d.*

Sales in England.

Years.	lbs.	Sale price. £	Average price per lb.
1825-26	27,803,668	3,872,685	2*s.* 10*d.* nearly.
1826-27	27,700,978	3,485,092	2*s.* 6*d.*
1827-28	28,120,354	3,358,955	2*s.* 5*d.*
1828-29	28,230,383	3,286,272	2*s.* 4½*d.*

It thus appears the Company charge considerably more than 100 per cent. additional to the prime cost on all the teas consumed in the kingdom. It is almost the only article of traffic in which they realize a profit. Their exports to China consist almost entirely of woollens, and this branch of trade is wholly unproductive.

The Company has lately sent little merchandize to India, except military stores, which, being charged to the territorial account, do not enter into a statement of commercial profits. It imports, however, to a considerable amount, from that country, raw silk, indigo, and other articles. Whether there is any profit or loss in the trade it is difficult to determine from the accounts submitted to parliament.

In addition to the profits on its trade, the Company are

entitled to a certain duty upon goods imported by the private and privileged trade, warehoused and sold through its medium. From the gross profits arising from this trade, a large deduction is to be made for the expense of freight and demurrage, amounting, in 1829, to £662,964. After paying all the other expenses of the commercial establishment, interest on the bond-debt, &c. the dividend remains to be provided. The capital stock of the Company is £6,000,000; so that, at 10½ per cent., it requires a net profit of £620,000 per annum to pay the dividend.

Now these preliminaries bring us to the consideration of a very important issue between the public and the East-India Company. The Company, we have seen, has not realized a surplus revenue from their territorial acquisitions; that has been all expended in the charges of war and government. Commercial profits, then, are the only source from which the Company has a surplus-revenue to pay the dividends and support their home-establishments. But it appears the profits of the Company on the several branches of trade, are either none at all, or very unimportant, except in the single article of tea. So that, in fact, it is the people of England who pay the dividends of the proprietors, and other outgoings, in the monopoly price of their teas. Let us inquire whether this is conformable to the agreement between the Company and the public.

The act of the 24th Geo. III. c. 38, provides that there shall be at least four sales in every year, at which there shall be put up such quantities of tea as shall be judged *equal to the demand;* that the tea so put up shall be sold, without reserve, to the higbest bidder, provided an advance of one penny per pound shall be bid upon the *prices at which the same shall be put up;* and that it shall not be lawful for the Company "to put up their tea for sale at any prices which shall, upon the whole of the teas so put up at any one sale, exceed, the *prime cost* thereof, with the *freight* and *charges* of importation, together with lawful *interest* from the time of the arrival of such tea in Great Britain and the common premium of insurance, as a compensation for the sea-risk incurred therein."

Here are the terms of the contract between the community and the merchants of Leadenhall: the latter are to supply the former with a quantity of tea adequate to their demand, and, to prevent extortion in the price, all the

items of charge which the Company, in addition to the prime cost, are allowed to include in the put-up price, are distinctly specified; but there is no item for the *Company's dividends*, and it was certainly never intended they should be paid out of the profits of the tea trade. All the legislature contemplated was to reimburse the Company the prime cost of their teas and reasonable charges, but never that they should be enabled to realize an exorbitant profit applicable to their general expenditure. That this profit has been realized is proved from a statement submitted to the Committee of the House of Commons last session, which shows that the profits on the China trade for the last fifteen years amounted to £16,971,316. Had the trade with China been open, the Company must have been satisfied with the ordinary mercantile profit; they could not have taxed the public to the amount of upwards of one million per annum, to provide a fund, not only for the payment of the dividend upon India Stock and the interest of their bond debt, but also materially to aid their wasteful Indian expenditure.

Next let us inquire in what relation the Company and the public stand in respect to the trade to India, exclusive of China.

In 1813 the trade to India was thrown open to private merchants, but was still, in some measure, impeded by enactments which required that all ships passing to the eastward of the Cape-of-Good-Hope should exceed 350 tons of burden, and which rendered it necessary to procure a license to trade from the Court of Directors, or, upon their refusal, from the Board of Control. This act also provided that certain articles of Indian produce should be brought to the port of London alone. British ships were still prevented from trading between ports without the kingdom, and places within the limits of the East-India Company's charter. These restrictions were much relaxed in 1823. The export of military stores to India is reserved to the Company, but ships, without limitation to burthen, may clear out, unlicensed, for any place eastward of the Cape-of-Good-Hope, except for minor ports between the Indus and Malacca. A license is still necessary to proceed to any other except the four principle settlements —Calcutta, Madras, Bombay, and Prince of Wales's Island, within these limits. Vessels returning from India may

not be admitted to entry in any of the warehousing ports of Great Britain, and trade is permitted between foreign ports and places within the limits of the Company's charter.

The effect of opening the trade to India has been greatly to increase its amount. The highest value of goods exported to India in any year between 1792 and 1811 did not exceed £2,475,987 (the exports of 1808.) It will be seen, hereafter, that this amount is less than one half of the value of the present exports. The increase has chiefly taken place in the export of cotton-manufactured goods. Previous to 1813 the amount of cotton goods exported to India was very trifling. They now fall very little short of £2,000,000 in value annually. This augmentation may partly be attributed to the extraordinary improvement which has taken place in our manufactures, attended by a great reduction of price, and to the extension and consolidation of the British power in India

The following statements show at once the comparative exports and imports of the Company, and the free and privileged trade in their transactions with India and China.

Exports by the Private Trade.

Years.	Total to India and China.	By the Private Trade.
1825	£3,918,071	£2,574.660
1826	4,468,883	2,625,888
1827	5,201,599	3,90[illegible],006
1828	5,212,353	4,085,426

Exports by the East-India Company.

Years	Merchandize for sale.	Stores.	Total.
1825-26	£754,832	£501,518	£1,256,350
1826-27	826,055	907,833	1,733,888
1827-28	494,922	807,354	1,302,276
1828-29	636,441	462,369	1,098,810

Imports from India and China.

Years.	By the Company.	By the Private Trade.	Total.
1825	£5,375,492	£5,178,925	10,554,417
1826	5,076,360	5,162,509	10,688,869
1827	6,148,077	4,514,661	10,662,738
1828	5,576,905	5,643,671	11,220,576

These statements show clearly the benefits which have resulted to the community from the opening of the trade

to India and the outlet it has afforded to British industry and manufactures. From the first, it appears, the exports by the private trade to the east nearly doubled in four years; while from the second it appears the exports of the Company, during the same period, and under similar favourable circumstances, have declined rather than augmented. What more can be required to establish the advantages of free trade, and the greater results which may be anticipated from the frugality, activity and enterprize of individuals, than from the expensive, negligent, and drowsy proceedings of chartered monopolies?

It is worthy of observation, that the most enlightened servants of the Company doubted whether the natives of India would ever be brought to consume largely European manufactures. Experience has falsified their representations. Similar results may be confidently expected from the opening of the trade to China.

SECTION XX.

RENEWAL OF THE CHARTER OF THE EAST-INDIA COMPANY.

SUCH improvements in the national representation, as would insure an honest and enlightened government, would render unnecessary any great changes in the scheme of our Indian administration. Ministers, having the control of the affairs of India, are responsible for their management; and, provided the people of Britain had an adequate control over them, there would be little risk of misgovernment, either in Great Britain or her great dependency. But if a system is tolerated, which admits of the accession to power of corrupt and incapable men, the calamity is felt in every part of the empire. Hence, the happiness of the vast population of Hindostan, no less than that of the United Kingdom, is identified in the now-successful question of Parliamentary Reform.

The government of India, it appears to us, must always be so constituted as to be subordinate to the general government. Equality would generate rivalry; rivalry, hostility; and this last be the source of mutual weakness and annoyance. All these evils are obviated by the supremacy of the Board of Control. The sovereigns of Leadenhall can never compete with the sovereigns of Downing-street; yet, though the dependence of the former is secured, it is not so far merged in the latter as to preclude them from the exercise of a distinct and separate administation.

Another advantage results from the existing system in the division of *India patronage*. Supposing the Company deprived of their territorial authority, by whom could the immense patronage of India be exercised? It was the principle of the India bills of Mr. Fox to vest the patronage of India in a Board, emanating from parliament and independent of the Crown; but, in the lately corrupt constitution of the House of Commons, this was only adding to the power and emolument of the Aristocracy. Again, to vest India patronage in ministers would be not less objectionable; it would form an enormous addition to the overwhelming influence of the Crown. The Court of Directors, however, though they have some interests in common with the Oligarchy and executive government, are not directly identified with either; they are a different power, based on different interests; their constituency are neither pot-wallopers, burgage-holders, nor freeholders—they are proprietors of India Stock; and this is a qualification from which neither the peerage nor the House of Commons derive their ascendancy. Under this arrangement a diversion of influence is obtained, and the danger to public liberty, which might result from consolidating the patronage of India with that of the United Kingdom, is in some measure averted.

In our opinion, then, the Company ought to retain their political sovereignty, and for this plain reason—that we do not see by what other constituted authority their functions could be discharged with less danger to the community. But though we think the general plan of the Indian government cannot be greatly improved, we are not insensible to the defects in its practical administration. The different departments of the Company's administration, we

have little doubt are more pregnant with abuse, if that be possible, than the borough system itself. But this is a question wholly distinct from that we have been investigating, and into the merits of which we are not prepared to enter. There are, however, a few points bearing on this branch of the subject so notorious, that we cannot forbear noticing them, and trusting that they will receive modification in the approaching renewal of the Company's charter.

For instance, it appears a monstrous abuse, that the directors, who are only chosen for four years, should virtually exercise their functions for life. Of the twenty-four directors, six are obliged to retire every year in rotation; but, instead of withdrawing entirely, they secede for one year only, being sure, as a matter of course, of being re-elected for another four years when the period of probation expires, and so on to the end of their lives, through the influence of their co-directors: for which purpose their names are enrolled on what is termed the "House List," in Leadenhall-street.

The number of proprietors of India-Stock is about 2,200, In the choice of directors, £1,000 stock gives one vote; £3,000 stock two votes; £6,000 stock three votes; and £10,000 stock four votes. This is the principle of the select-vestry system, without the same justification. There is nothing analogous to it in the election of members of parliament, and it is as unsuitable in the choice of the governors of an empire, as if the members of the House of Commons were each to have votes proportioned to the magnitude of their rent-roll.

Among the prerogatives which the Company exercise, one is justly objectionable, namely, the power of denying to British subjects permission to reside in India. By the 53rd Geo. III. c. 155, heavy penalties are imposed upon any British subject who shall proceed to India without license from the Directors or Board of Control. The local governments are also empowered, if they see fit, to send home any European residing there, even though in possession of a license. It is also enacted that no British subject shall reside in the interior, at a greater distance than ten miles from the presidencies, without a certificate of leave from the local authorities. Till a very late period, no European was allowed to hold lands either as proprietor

or upon lease. By a recent regulation, however, of the present Governor-general, the indigo planters have been permitted to take leases of lands from the natives for the cultivation of the plant.

Such restrictions are an arbitrary abridgement of the rights of locomotion and enterprise, for which we have never seen any adequate justification. No danger can possibly result from the free settlement of any of the inhabitants of the United Kingdom in India. The whole European community scattered through this vast region, exclusive of those in the service of the Company, does not exceed 3,000, and any increase to their number, so as to excite apprehension, is wholly improbable. Were it not so, the Company can have no right to exercise an authority injurious both to their fellow-subjects and the native population, merely for the sake of perpetuating their own power.

Lastly, the freedom of the press in India requires a more constitutional guarantee than the capricious censorship of the Governor-general.

Having shortly noticed the political part of the India question, let us come to the commercial branch of the subject: this is the real point of interest to the people of Great Britain. Comparatively, the future territorial government of Hindostan is unimportant, but every inhabitant of the United Kingdom is deeply interested in a free trade to China; and we sincerely trust this interest will not be compromised—that there will be no renewal of the Company's charter, without an entire abolition of their commercial monopoly.

A defence of some kind may be always devised by artful persons for every abuse and every oppression; but we cannot collect from the inquiries of the Parliamentary Committees of last Session, that any case, the least plausible, has been made out to justify the commercial privileges of the Company. There is nothing in the constitution of the Chinese government, in its peculiar policy, in the local usages of the natives, or in their anti-commercial spirit, to interdict the opening of the trade. Both the public officers of China and the people are a thrifty race, and the same motives of interest which actuate the British merchant, concur to induce them to desire a more extended mercantile intercourse with this country.

Why then should this spirit—the mutual interests of two empires—be cramped by the costly and cumbersome incubus of Leadenhall-street? The Court of Directors have sufficient to engage their attention in the discharge of their political functions, without being fettered by mercantile pursuits; and the sooner they divest themselves of the remnant of their commercial character, the better for both Britain and Hindostan. The Company has become a great political government, and is no more adapted to the pursuits of commerce than the Imperial Parliament.

The trade with China neither requires the capital, nor united action of a privileged association. The French, the Dutch, the Swedes, the Danes, the Austrians, and Americans, all resort to Canton, and none of them carry on the intercourse through the intervention of an exclusive company. The Dutch trade, which is the most important, used to be conducted by a privileged company, but it is now thrown open. The free trade of the Americans with China has greatly augmented since 1814;—and, what is most extraordinary, they actually export to Canton British manufactures—manufactures which the British merchant is interdicted exporting, and which the Company cannot export with a profit, owing to their circuitous and costly mode of transacting business—and the unfitness of their institutions for commercial purposes.

After such facts as these have been established in evidence, ought it to be any longer a question whether the commercial privileges of the Company ought to be renewed? We think decidedly not. The interests of the public are directly opposed to the monopoly. For years we have been paying double the prices for our teas we ought to pay; double the prices that are paid on the Continent and America, where there are no privileged associations. And for what purpose are the people of the United Kingdom subjected to this extortion? Why, in addition to our other burthens, should we be made to pay two millions per annum for the benefit of the Company? We are becoming a sober people—a tea-drinking nation, and why should this improvement in national character be obstructed by overgrown monopolists? The reason is this: The finances of the Company are embarrassed. They cannot pay their DIVIDEND out of fair mercantile profits,

and they seek to pay it out of the produce of a poll-tax levied on the people of Britain.*

Here is the gist of the matter at issue between the Company and the public. The question is not the policy of a *free-trade* with China; on this point no well-informed person can entertain a doubt: the interests of commerce, the interests of the people at large, and of the public revenue of the country, would all be promoted by free trade; but then how are the Company's dividend, the interest of their bond debt, and other out-goings to be paid? They have no surplus territorial revenue; the profits of the TEA-TRADE are their sole dependence.—This is the rub! But what, it may be asked, have the community to do with the pecuniary difficulties of a knot of intriguing, ambitious, and improvident speculators? What is India to Britain? Some thousands of adventurers have amassed princely fortunes there by rapine and extortion, and have returned to spend them in this country, to add to the aristocracy of wealth already too predominant. Beyond this we have derived no advantage from our Eastern acquisitions —neither true glory nor national happiness. Why should we then be called upon to make a sacrifice? If the Company cannot maintain their association without public support;

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* We have said, that we were becoming a "tea-drinking nation;" here is the proof from the statement submitted to the Commons' Committee, by Mr Crawford, of the comparative consumption per head, of tea and Coffee in Great Britain, France, and the United States.

	Tea. lbs.	oz.	dwts.		Coffee. lbs.	oz.	dwts.
Great Britain.....	1	7	8	.....	0	10	14
France	0	0	0	.....	0	9	13
United States.....	0	9	4	.....	2	1	11

Several statements were submitted to the Committee, with a view of showing the amount of the tax entailed on the community by the Company's exclusive privilege; by one witness it was estimated at £1,500,000 per annum; by another at £1,727,934, and by a third at £2,583,499.

For a comparative statement of the prices at which teas are sold by the Company, and on the Continent, and in America, we must refer to the statement of Dr. Kelly, No. 4709, of the Lords' Committee. The prices at the Company's sales in London, exclusive of government duty, are about double those in the countries mentioned.

if they cannot carry on trade to advantage, without privileges hurtful to the community; if they cannot enter into fair competition with individuals, let them retire from the contest—let them DISSOLVE, and leave commerce to be pursued by others on more prudent and economical principles.

Only think of the situation of that most patient of all animals, the British public, in this business. The government levies a *hundred per cent. tax on tea* for the support of extravagance, and the payment of their dividends, and the Company a monopoly tax to the same amount, and for similar purposes. How finely is JOHN BULL situated between the *exclusives* of Leadenhall and the oppressors of Downing-street! If to these agreeables, we add the extra sugar-tax he is compelled to pay for the benefit of the West-Indian flaggellants, with what gusto he must needs swallow his morning and evening beverage; what fervent ejaculations he must utter over his *cups* for the prosperity and permanence of *oligarchical* government!

There is, however, one resource to the Company, in lieu of the profits of the exclusive trade to China—they may RETRENCH. Like their prototype, the Borough-System, they are embarrassed from a long course of war and prodigality, and they must economize. The people of Britain will never submit to be taxed for the maintenance of their territorial sovereignty and patronage. They must reduce still further than they have yet done, their military, civil, judicial, and revenue establishments; they must curtail enormous salaries, and their "dead-weight;" be less lavish in granting pensions, superannuations, and allowances to relatives and dependents; and if all this is not enough, they must, instead of bartering offices and appointments in India for the benefit of themselves, sell them openly and fairly to meet their expenditure. At all events, they may rely upon it, that they will not be allowed to tax the community, neither one, two, nor three millions per annum after the 10th of April 1834.*

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* From a statement of Mr Melvill, auditor-general to the Company, it appears the gross revenue of Bengal, Madras, and Bombay, in the year 1828, was £22,551,617; of this revenue,

SECTION XXI.

CORRUPTIONS IN THE MILITARY AND NAVAL SYSTEM OF GREAT BRITAIN.

AMONGST the many exorbitant charges to which the British nation, for a long series of years, has been subjected, none is of a more insufferable and scandalous nature than that of the Standing Army. A Standing Army is unconstitutional; for the constitution of the country does not recognize a soldier, much less one hundred thousand of them. It is not only unconstitutional, but it is burdensome upon the people of Britain to such a degree, as to make it, any longer, quite insufferable. While the people have to pay thirty millions as the interest of the national debt, they are also doomed to pay other fifteen millions for the support of the Army, Navy, and Ordnance departments of our peace, or as we should rather say, war establishment system. The following comparison of the cost of the peace establishment of 1792 and of 1830 is very instructive.

£15,384,526 was the produce of the land-tax: the charges of collecting the revenue, pensions, &c. £5,524,928. The charge for collecting the gross revenue of the United Kingdom, amounting to £57,650,029, is £3,797,038.

The following returns, by the auditor-general of the Company, exhibit a statement of the military charges, the general civil charges, and the judicial charges of the three Presidencies for the year 1828:—

	Military Charges.	General Civil Charges.	Judicial Charges.
Bengal	£4,747,224	£1,791,508	£1,147,436
Madras	3,926,267	360,484	377,158
Bombay	2,111,222	542,202	312,222
Total	£10,784,713	£2,694,204	£1,836,816

Can any one believe the Company will not be able to find resources for such lavish outgoings, without a monopoly of profit on the consumption of tea? *Black Book.*

	Year 1792.	Year 1830.
Army	L.2,330,349	L.7,709,372
Navy	1,985,482	5,902,339
Ordnance	444,863	1,509,150
Total charge	L.4,760,649	L.19,280,757*

It thus appears that the peace establishment of 1830 exceeds that of 1792 more than threefold; and that since 1815, upwards of two hundred and thirty millions have been expended on soldiers, sailors, ships, and artillery, although we have been all the time in a state of general tranquillity. The only ground on which it is attempted to justify the expenditure so enormously great in comparison with that of any former peace establishment, is the expediency of being at *all times prepared for war*. So that after expending eleven hundred millions in the purchase of a secure and lasting peace; after sacrificing a million in fortifying Belgium against French aggression; after erecting splendid and costly monuments to commemorate the glorious triumphs of Waterloo; after all these efforts, glories, and sacrifices, we cannot yet sit down in safety without bristling on all sides with cannon and bayonets. Is this, we ask, any proof of progression in human affairs? Is this the boasted "*settlement of Europe?*" Are these the blessings of legitimate and constitutional monarchies? Are nations, in their relation to each other, always to exemplify the condition of man in a state of nature, with couched lance, watchful eye, and trembling heart, fearing to be the victim of beasts of prey, or of the tomahawk and scalping knife, or of his not less savage fellow-creature? If these are all the guarantees of social happiness which aristocratic governments can give, we say, Away with them! Let us try new men, new principles, and new institutions.†

A principal cause of the vast increase in the military expenditure of the country, is the number and establishments of the army. From the inquiries of the Finance Committee, it appears, that in 1792 the number of all

* Annual Finance Accounts, p. 19.
† Financial Reform, p. 213.

ranks in the army was 57,251; and that according to the statement of Sir H. Parnell, they were distinguished as follows:—

	Officers and Men.
Great Britain	17,007
Ireland	11,901
East Indies	10,700
Canada, Nova Scotia, and Bermuda	6,061
Gibraltar	4,221
West India Islands and New South Wales	7,361
	57,251

In 1828 the number of all ranks was 116,738; the distribution was as follows:—

Great Britain	29,616
Ireland	23,969
Colonies	37,037
East Indies	26,116
	116,738

The chief part of this enormous increase is accounted for as under:—

Increase in the New Colonies	17,112
Increase in the Old Colonies	849
Increase in Great Britain	9,094
Increase in Ireland	10,363
Increase in the East Indies	14,287
	51,705

Thus you see that up to the year 1828, the increase of the army was upwards of 50,000 men—nearly double to what it was in 1792; and of course the military expenditure of the country was doubled by this great addition to our military force. Besides even this, it will be in the recollection of our readers, that when Wellington was compelled to resign, the reforming and economizing ministry who succeeded, actually increased the army 10,000 men, making the total number of forces upheld by the people of Britain to be upwards of 126,000 men.

Allowing that the extent of our foreign possessions has rendered necessary an increase in the army, this does not apply to the *household troops*, as they are never sent abroad in time of peace; yet it is in this branch of the

service, and in dragoons, that there has been the greatest augmentation. The following statement shows the increase of life and foot-guards, and cavalry, at the two periods:—

	Rank and File. 1972.	Rank and File. 1830.	Officers and Non-Commissioned Officers in 1830.	Total Men and Officers in 1830.	Increase in Rank and File in 1830.
Life-Guards....	411...	688.....	187.....	875.....	277
Horse-Guards	261...	344.....	86.....	430.....	83
Dragoon-Guards	696...	2268 } ...	1506.....	9326.....	{ 1972
Dragoons.....	2080...	5152 }			{ 3072
Foot-Guards...	3126...	5760.....	848.....	6608.....	2634
Total	6574	14,212	2627	17,239	8038

These are the most expensive classes in the army, and chiefly kept up for *domestic use*. The sums saved by the reduction of the cavalry force would be very considerable, since the expenses of every horseman are nearly as great as those of the junior clerks in the public offices, some of whom have been so unsparingly reduced that their superiors might enjoy undiminished their overgrown emoluments. The expense of a dragoon and horse, exclusive of forage, &c., is £57, and of a life and horse-guardsman £75 a year; whilst the charge for infantry of the line is only £31 per man.

The Guards are chiefly intended for the maintenance of the peace in the metropolis, for the protection of the Bank, the Tower and Royal Palaces. But there can be less need of this expense now that we have a military police for the security of property and persons, and ready to aid the established authorities in case of civil commotion. Surely four thousand constables, trained, organized, and barracked, and under the entire controul of ministers, might enable them to dispense with at least one regiment of the household force.

With respect to government keeping up 30,000 men in England and Scotland, we say that it is a shameful waste of the resources of the country, and that there is not the least necessity for it. Whatever may be required for the Colonies, it does not follow that the same should be necessary for the Mother country,—that we should incur an expenditure of a very high amount indeed, that so the government may feel independent of the people, and that they may have it in their power of using coercion, in

order to enforce their scandalous waste of the public money. The 30,000 men who are constantly kept in Britain must be dispensed with immediately, in order that taxes to the same amount which is required to support these 30,000 men may be taken off this over-taxed community.

Now, in regard to Ireland, it plainly appears that all along it has been the policy of our spendthrift government, and the greedy grasping church establishment of England, to encourage and foment division and anarchy in that unhappy country, that so they might be enabled to keep up a ruinous church establishment, and a butchering army to protect the same. Let, therefore, the iniquitous establishment of the church of England in Ireland be immediately given up, and another 20,000 men may be dispensed with, making a total of 50,000 men, which will grant relief to the country, both in a constitutional and financial point of view, to the amount of nearly four millions; and this will relieve the country of the taxes upon knowledge, and the advertisement-duties—the one prodigiously curtailing the knowledge of the country, the other diminishing the profits and paralyzing the efforts of trade.

Of course it will be objected by the opposers of this scheme, that if we diminish the military expenditure of the country, for the sake of economy, it will have the effect of throwing 50,000 men upon the country; that is, 50,000 men among 30,000,000. This they pretend will cause a tremendous burthen to the nation, because, say they, all these men are deprived of employment. But this is merely the base subterfuge of diabolical tyranny, and has no more sense in it than a water-bubble blown up in the air. All that these sticklers for standing armies strive for is, that their indolent and good-for-nothing connexions may be quartered upon the country in the shape of half-pay officers, sinecure holders, review officers, Colonial governors,—it is impossible to enumerate all the rest of the nooks and crannies to which these lazy good-for-nothing folks delight to gaze upon, and which they well know can never be kept up without the aid of a standing army to overawe and cut down the people, and it is the darling object of every corrupt and tyrannically minded government to encourage and foster these unnational principles.

With respect to the force to be employed in place of a standing army in Britain, we shall direct the attention of our readers in the next Section. In the meantime, we will notice the inhuman and bloody practice of flogging in the British army. In no other nation which lays the least pretensions to freedom does this barbarous and inhuman custom exist. In America it ceased, when the connexion that subsisted between it and Britain ceased; and brave in the cause of infamy and degradation would that man be, who would propose its horrid revival in that free, happy, and prosperous country? In France it no longer is tolerated; and in free Switzerland it is unknown; but in all those countries ruled with despotic sway, this base, cowardly and cruel torture exists and flourishes in all its vigour. In Britain too, that land of intellectual light, and religious and political freedom, is the tyrannical and *aristocratic* lash in operation, and why? Because a greedy and cruel hearted portion of the Aristocracy have for a considerable length of time, held the ruling power. It is also a mark of the contempt in which the *people* are held, by the above small portion of the Aristocracy, and thank heaven, they are but *small* and fast *waning* away. It is a well known fact too, that none of the scions of the Aristocracy, who, from their wealth and interest, are those who are always made commissioned officers, ever receive the punishment of flogging; this speaks volumes concerning what sort of a punishment it is, and for what it is inflicted. Would it not, since it is accounted so necessary a punishment by these inhuman butchers, be as good for the commissioned officers, as for the non-commissioned officers and the privates? It certainly would, if there had happened to be any thing of good or respectability resulting from it. But then the horrifying fact lies here, it is a mode of punishment expressly ordained by the Aristocracy, for the infamous degradation of the people, and is to be inflicted on them alone; for if it were exercised upon the Aristocracy, then they would be dishonoured and degraded; and thus it is fit, not for them, but the people. But it would be well if these human torturers knew who, and what the people are.

They shall, however, know by and by, the wretched mistake they have so long and so wilfully laboured under. Before, however, we leave this painful topic, we shall only

mention, that the present reforming ministry, composed of those men who have all along been the sworn foes of the inhuman punishment of flogging, have all on a sudden been converted to the doctrine of the necessity of the savage and barbarous system, of flaying men's backs with the lash. Yes, these men who pride themselves upon their humanity and disinterestedness, have actually, when it was in their power to abolish it, advocated the necessity of its continuance. However much we respect the ministry, however much we desire to see them firmly established in the government of the country; yet we confess, that it is not by following in the wake of the crooked and barbarous policy of their predecessors in office, that we would rejoice in their stability. If they wish at all to have the friends of truth, humanity, and justice on their side, they must change, and that too on an extensive scale, the crooked and hoodwinking system of policy they are following. They are fast losing the esteem and affection of a grateful people, for the exertions they made in conjunction with them, in passing the Magna Charta of William the Fourth; but whilst the door of hope is open, we hope they will retrace their steps, and all may yet be well; but if they do not, if they still persist in their wayward system, they will bring on themselves the contempt which they will richly merit in following such a course, and a terrible retribution from heaven and their fellow-men, is most assuredly in store for them. Military flogging, however, will be abolished ere long; but whether by them or others, time will shew.

The next grievance which calls loudly for reform, is the Aristocratic system of selling commissions for money. This system is another one, strongly tinged with the patrician principles of exclusiveness and venality. Merit stands no chance, when brought in competition with interest and money; and yet it is merit alone, which should be the criterion of being thought worthy of having a commission in the army or navy, and indeed for every other civil situation.

The next grievance to which we shall direct attention, is the half-pay system. It is a notorious fact, that the half-pay list of Great Britain, is the most scandalously conducted affair that ever the nation has had to do with, except the National Debt. No sooner does a young Aristocratic stripling buy a commission, than if he is spared, and

conducts himself for a few years with gentlemanly conduct, so as to evade being tried by a court-martial; then he retires on the half-pay list; even although he is in the enjoyment of perfect health, and is a young man who has seen little or no service, but allowed to retire on the too much abused charity of the country, in order to make room for another, for whom the same tale has to be told. Thus has our half-pay list swelled up to a most tremendous sum, and constitutes another one of those *eternal* and interminable burthens, with which this over-taxed country has been cursed. With regard to this crying evil, we would propose, that until all the officers are either incapacitated by the perils of war, accident or old age, that there should be no half-pay allowed; and likewise that the nefarious and swindling practice of buying up a half-pay right should be abolished, except in the case of the party receiving the half-pay intending to emigrate, in which case government ought to buy it up for the benefit of the public, in place of allowing a neutral, who has no claims upon the country, who has seen no service, nor any thing to recommend himself to be an annuitant upon the bounty of the people. The practice of purchasing or bartering Commissions among the officers, should likewise be abolished; in short, a reformed reforming parliament should study to render the British army as perfect as it possibly can be made, and that too as speedily as possible.

The next subject to which we shall advert, is the expenditure of the colonies, viewed in connexion with our military expenditure. These are a tremendous burthen on the resources of the mother country, chiefly to provide governerships, secretaryships, registrarships, agencies, and sinecures for the Aristrocracy and their connexions. No parliamentary documents shew what the whole expence is that is paid by British taxes on account of the colonies. It is generally estimated that from two to three millions are paid for the army, navy, and various civil charges; but in addition to this, the public pay full two millions more for sugar and timber than they ought to pay, in consequence of the increased prices occasioned by the protection given to the colonists by the higher duties imposed on these articles when imported from foreign countries.*

* Sir Henry Parnell on Financial Reform. p, 234.

There are only three ways that the colonies can be of any advantage. 1. In furnishing a military force. 2. In supplying the parent state with a revenue. 3. In affording commercial advantages.

Instead of furnishing a military force, the colonies are always a great drain upon our military resources, particularly in war, when they occupy a large portion of the army and fleet in their defence. With respect to revenue, it has been declared, by the act of the 18 Geo. III. that no taxes or duties shall be levied on the colonies, except *for their use.* As to commercial advantages, if the colonial trade were quite free, our commercial relations with the colonies would resemble the intercourse between ourselves and independent countries; and, with our unrivalled superiority in capital, manufactures, machinery, and skill, what have we to fear from unrestricted competition? What have we lost by the independence of the United States? Nothing: the nobility have lost provincial governorships; but the population of both countries has been enriched and benefited by the vast augmentation in their mercantile intercourse.

The rage for colonization has been one of the great blunders of our national policy, originating in the vain glory of conquest and aristocratic cupidity. Britain has neither conferred nor derived social happiness from territorial acquisitions. We may have imparted strength to others, but have received in return only the decease of monopolies and vast individual accumulations. How, indeed, could the results have been more favourable? A great nation, possessing within herself the resources of wealth and civilization, what advantage can she derive from exhausting her energies in rearing to maturity and fostering ingratitude in the unfledged offspring of future empires? Between old and infant communities there is not equal reciprocity of interest; the latter participate in the benefits of the experience, laws, institutions, warlike power, and riches of the former, without yielding countervailing advantages: it is strength allying itself to weakness—the full-grown oak bending to the palsying embrace of the creeping ivy.

The chief advantage to be derived from colonies, is in rendering them a desirable refuge to a redundant population. But the Aristocracy decline making them subservient to the purposes of emigration, because *of the expense;* it would be a sacrifice not for the benefit of themselves, but of the

industrious orders, and this they begrudge; they prefer subduing the clamour of hunger by coercive measures, to providing the means by which the unemployed labourer and artisan might transport his superfluous industry to the banks of the St. Lawrence and the shores of Australia.

Although the Oligarchs are so parsimonious when the welfare of the people is concerned, they are reckless enough about expense when it ministers only indirectly to their own gratification and ambition. It appears from the inquiries of the Finance-Committee, that the collective expenditure of five of our colonies has exceeded, on an account of ten and more years, the colonial revenues applicable to the discharge of it, so as to have constituted a deficiency of £2,524,000, and that this deficiency was paid by the Treasury, although the surplus expenditure had been incurred without previous communication with ministers; nor does it appear ministers had any previous knowledge either of the amount of the colonial revenues or the charges upon them. Can any thing more strikingly show the careless and lavish system on which the affairs of the nation are conducted? We subjoin an abstract of the returns to Parliament of the colonies to which we have alluded. It will be seen that the surplus revenue of the crown colonies above the civil expenditure amounted to £1,453,842, and this was all which remained applicable to a military expenditure of £3,733,939, leaving £2,280,097 to be paid out of the assessed taxes, the excise, and custom-duties of the people of Britain.

Statement of the Revenue and Expenditure of five Crown Colonies referred to in Mr. Herries's Letter to Mr. Wilmot Horton, of the 24th March, 1827.—Parl. Paper, No. 352, Sess. 1830.

Colonies.	Years.	Revenue.	Civil Expenditure.	Military Expenditure.
Ceylon	13...	4,384,407...	3,097,571...	2,570,107
Mauritius	12...	1,723,114...	1,829,598...	795,575
Cape of Good Hope ..	11...	1,333,441...	1,062,670...	277,015
Malta	10...	2,378,114...	2,384,197...	88,994
Trinidad.....	12...	405,513...	396,711...	2,248
		£10,224,589	8,770,747	3,733,939

Of these colonies, three of them—Ceylon, Mauritius, and the Cape of Good Hope—are only of use to the East-India Company, who ought to defray the charges of their military protection. Many other of our colonies are equally valueless as objects of national utility. Of what use is the retention of the Ionian Islands, with Malta and Gibraltar in our hands? The settlements at Sierra Leone and on the west coast of Africa ought to be abandoned, having entirely failed in the attainment of the object intended. No reason can be shown why Canada, Nova Scotia, and other possessions on the continent of America, would not be as available to British enterprise, if they were made independent states. Neither our manufactures, commerce, nor shipping would be injured by such a measure. On the other hand, what has the nation lost by Canada? According to Sir H. Parnell, fifty or sixty millions have been already expended; the sum payable out of British taxes is fully £600,000 a-year; and there has been a plan in progress for two or three years to fortify Canada, at an estimated cost of three millions. Are the Aristocrats mad, or are the people insane, to tolerate such lavish proceedings?

We now proceed to give, in a systematic form, the following statement of military abuses and discrepancies, to which we request the reader's attention.

If we compare the pay of the new metropolitan police of London with that of the army, which is subject to it, the injustice with which the soldiers are treated will be apparent at once.

Unfloggable blue-coat soldier, or police	£0	3	6
Floggable red-coat soldier	0	0	10

No other comment is necessary on this head.

As to flogging, we have never yet heard one argument in its vindication. It is brutal on the part of the *inflictor*, and degrading to the victim. It is a part of the system by which the aristocracy seek to enslave and dishonour the people, and the soldiers, who spring from the people. In defence of this infamy it is said, that other punishments, such as confinement, privations, &c., are impracticable on active service; as, for instance, on a march, or in the face of the enemy. The friends of the soldiers and of

humanity say, abolish the lash in time of peace, for, according to your own admission, it can then be done. No; reply the officers furnished by the dishonest and tyrannical portion of the Aristocracy; if we part with the scourge in time of peace, we part with it for ever, as the punishments substituted in its stead would be found insufficient, and a return to the practice of flogging men's backs would not be a gracious act on the breaking out of a war. For it must be obvious, if the principle of honour be once brought into force by suspending the lash, the men will be found so much the more incapable of again submitting to it. If it be desirable to maintain a degrading law, men must be kept in the degraded state produced by it, and suited to it.

No acknowledgment can be more insolent or infamous than this. It shows, not only that there is no desire to raise the moral character of our army, but that its utmost degradation is the object of the Aristocracy. They seek thus to make the soldiers objects of scorn and hatred to the citizen, and to destroy all sympathy or connexion between them. Their resolves on this head are more determined than ever; and the reason is obvious. The French army has no lash—the principle of honour works instead of it. Were a French officer to strike a soldier, the latter would have no hesitation to blow out the brains of the former for the insult offered to his honour. Well, what was the consequence of this spirit of honour and intelligence among the French soldiers at the Revolution? Only this, that they clung to the interests of the people, their natural friends and supporters, and by their means they triumphed over their common oppressors.

But the soldier is not only ill paid, and liable to the degrading punishment of the lash, he is hopeless of advancement. The officers are usually the beggarly sons of beggarly families, quartered upon an oppressed people, to preserve the family fortune; and the army is consequently a foundling hospital for the younger children, relatives, favourites and dependents of all classes of the Aristocracy, (and let them deny it if they can) where they have only to receive full or half-pay, as suits their convenience.

The further object of the Aristocracy in thus officering the army, is the same as that of the East-India Company, in placing white officers over their black soldiers of India; and the white soldier of Britain is equally a slave—neither may rise from the ranks, both may be lashed to death with impunity, and both are expected to keep their countrymen in subjection. Happily, soldiers know the general weakness and worthlessness of the beggars who are provided for, by being made their drivers; and from their incapacity and extreme tyrannical insolence, they are thoroughly despised and hated by the men.

The interests of the whippible are now seen to be perfectly distinct from the whipping part of the army, we shall therefore announce the important principles of reform which should be applied to our military system, commencing with those which are most general in their nature. Public employment can rationally be granted to knowledge alone, because its object is public utility; all therefore should be equally eligible to public employments, without any other distinction than that created by knowledge and ability. The exercise of pecuniary or property qualifications, as well as of favour and influence, is a crime against the rights of society. All offices, civil, naval or military, ought to be filled by competition, protected against favour and influence, and decided by ability.

Military and naval schools ought to be attached to every university in the kingdom. Their pupils ought to be annually examined by an experienced official committee, appointed by the representatives of the people, and sworn to disregard interest, and to have no personal knowledge of any of the candidates: and a number of these, according to their military or naval acquirements, ought to be placed in the subordinate military or naval situations, to which aristocratic influence and cupidity has not artfully assigned a price which may serve to exclude plebeians, which that influence hourly obtains for its own creatures as gifts.

The rank of lieutenant ought not to be filled up till all the ensigns or coronets of the same corps, or the midshipmen or masters-mates of the same ship, have

undergone military or naval examination or exercises. Were the rank of captain, major, or colonel, to be bestowed without similar examination and similar competition, of each immediate inferior's grade, even the man of lowest rank, who is adequately versed in military or naval exercises, ought to be permitted to claim a similar examination for the rank next to that which he holds. If any two officers in the corps or ship will certify generally as to his military or naval knowledge, and particularly as to his good behaviour, let him, if otherwise equally qualified, be preferred to every new candidate, and let him thenceforward have his chance of regular preferment.

Thus officers would be freely taken from the people, all intelligent, and all well behaved privates would have the right and chance of rising from the ranks; and no man would be advanced but in consequence of superior ability, as proved by examination. Bravery unaccompanied by military or civil knowledge, ought not to be rewarded in an honorary way. Thus the best talents of the nation would have their fair chance of employment in its service; and the mark of rejection, insult, degradation and slavery, would not, as at present, be branded upon the forehead of every plebeian. Thus the very highest talent of a nation, collected from every rank and station, would be employed in the service of the country. Property and the accident of birth would be no bar to advancement; nor would the grey-haired ensign or midshipman be passed over as he now is, every hour, by the progeny of the dishonest portion of the Aristocracy. It is morally impossible to think of such things without feeling for that Aristocracy, execration as deep as the insult, degradation, and real slavery which they thus inflict.

In short, the Aristocracy are wrong in supposing the army to be a tool, ready for them, to oppress and trample on the liberties of the country. They have not the smallest right to rely on the army acting in opposition to the people and a government which they approve. Habits of obedience are feeble indeed when opposed by the soldier's best interests and honour—well understood and supported by the universal voice of the people. The

first effect, therefore, of the enemies of the people, attempting to seduce the army from the people's interest, would be a division of the whippible against the unwhippible. The soldier's liability to the lash will not bind him to his patrician masters.

Again, the soldiers and officers have no interests, no motives or sympathy in common with one another. For it is a well known fact, that the soldiers are to a man dissatisfied and disgusted with their officers, and the mode of their appointment, and the hopelessness of their own services. The army, in fine, is morally disorganized in relation to its officers.

The Navy and Marines would be strongly led by professional feelings to side with the people, and the government they approve; and they would at once furnish an incomparable artillery, for the defence of posts and passages, and would likewise form the basis of a disciplined infantry, should even any difference arise between the Aristocracy and the people. In the artillery and engineers, the interest of the worst part of the Aristocracy would be found feeble, in proportion to the degree in which the officers are drawn from the middle or scientific classes of society; and it would be completely nullified by the sweeping interest which would be created, by opening to these corps the way to general promotion.

Nor is this all, more, much more, depends upon the free competition system. It is well known, that with a mixture of old troops, a good infantry can be made in three weeks, and in this would every soldier find advancement. Cavalry requires a longer time; but with good horses and willing men, it is hard, if in three months a cavalry could not be made, that with careful leading, and some small advantage in numbers, should make to tremble the hirelings of despotism and tyranny. There again would the old soldier have an opportunity of rising, as the means recommended with this view, are to make fifty troop-sergeant-majors, captains, and the same number of sergeants and corporals, subaltern officers, on condition that they bring their troops into the field in good order, within three months from the time they receive their commissions.

Again, the unprincipled portion of the Aristocracy im-

agining, that by removing the troops from place to place, they thus create an effectual barrier against intimacy between the troops and the people; and thus think, that if the soldiers were called forth to act against the people, that they would do it without compunction or regret.

Now we maintain, that in viewing the connexion between the people and the soldiers thus, that they are aggregiously wrong, and would find themselves very far mistaken in the end they had in view, by the military transporting mode above noticed, and it can be no great breach of duty to make them aware of the jeopardy which threatens them were they to trust to such a pitiable scheme for protection. British soldiers in a foreign country have no fear of danger, and much less of their enemies. It is over them however, that the glory of the British Lion is seen to shine resplendent; it is there that his strength is feared, and his anger propitiated. But at home what a contrast; the Lion is beside his young, and these young are not the dishonest and unprincipled portion of the Aristocracy. No: the people and the sacred liberties of the country are alike dear to the soldiers, and sooner than they would do aught to harm them, they would strain hand and nerve to fight in their defence, and that too, either against foreign foes, or domestic tyrants.

The people and the liberties of the country, are the pet cubs of the British Lion, and sooner than see them trampled on, or endangered, the blood of the British Lion will be shed in their defence.

Besides, in the time of war, the soldiers of Britain could scarcely be called her soldiers, they fought for the borough-mongers—they were never suffered to be naturalised in the country—they were taken from the plough and from the loom, and sent over to the continent, where they either contracted habits of rapine and cruelty, (on account of their principles not being properly formed at home,) or they were mercilessly slaughtered by a cruel and vindictive enemy. But times are now materially changed. Even though they be taken from the plough, and from the trades as formerly, yet they are not sent abroad to engage in fields of blood, and slaughtering campaigns. No: seventeen years of peace has wrought as great an alteration on the British soldier, as the last

century has wrought in other respects on the manners, learning, and interest of the community; in fine, the soldiers of Britain at the present day, will never fight against the sacred cause of liberty; they are human beings, and they know what are their rights and privileges, as well as any class of men in existence, and the Aristocracy need no more trust to the army of Britain to fight in their defence. They might as well trust to a broken reed to support them, as expect that the soldiers of the people of Britain will aid them in the promotion of their black and accursed schemes. The principal military reforms then, which the people should cause to be instituted, are the following. 1. Reduction of the standing army; 50,000 men leaving to protect the colonies, and to take care of the Forts and Castles of the Empire; and the protection of the East Indies upwards of 76,000 men, a prodigious standing army for Britain to have truly. 2. Abolish military flogging, and the substitution of other humane punishments in its place. 3. Commissions to be conferred as the cause of merit, instead of being bought with money. 4. Soldiers of the standing army to be considered as citizens, and having as great a stake dependent on the welfare of the country, as civilians, &c. Before concluding, we may notice, that the improvement of our maritime force is an object, which we trust, will never be lost sight of by any ministry of Great Britain, whatever their political principles may be. It is that description of force which Providence seems particularly to have destined for our defence, and by improving which, we can never fail of increasing our security at home, and extending our respectability, and commercial prosperity abroad. That our armies have been equally successful in maintaining the national fame we do not mean to question; but we conceive from the experience of the past, it is much easier for Britain to support her high character among the nations, by the strengh of her wooden walls, than by any other means whatever. It is a description of force, in the wielding of which, she has as yet, no rivals; and in order to preserve an ascendancy, which is not only honourable and profitable to herself, but also useful to her neighbours. We trust no reasonable expense will ever be spared.

We now proceed to notice the importance and propriety of organizing A National Guard for the protection of our liberties.

SECTION XXII.

NATIONAL GUARD.

Now that the great charter of our liberties has been gained, and that we have got something to preserve, would it be going too far on in the system of conservatism to propose the formation of a British National Guard? We answer, No. For it must be remembered, that if a national guard was necessary in former times, when our liberties were so precarious and insignificant; what can be said now that we have received so great an addition as the great *reform charter* of William the Fourth, to defend.

Since, then, that it appears to be so fair, reasonable, and expedient a proposition, the question comes to be, on what system ought it to be modelled? Ought it to be a *fac simile* of our present aristocratical guard, the English, Scottish, and Irish yeomanry corps? Or ought it rather to be on the system observed in France? We answer, that as to the idea of establishing it on the same system as the yeomanry corps are, that it is preposterous and absurd; and that the only reasonable plan on which it can be formed is that on which they are established in France and America. There cannot be a doubt, however, that if such a scheme as the formation of a British national guard were set on foot, that, in all probability, it would meet with serious opposition from government, either whig or tory, it matters not which,

even allowing that the proposal should emanate from the House of Commons itself.

The opposition of a government, however, (no matter of what principle,) is of no moment now-a-days, seeing that the people's sovereign will, when based upon rational principles, must be law, is a truth engraved indelibly upon the minds of both governors and the governed. And however backward the rulers might prove for a time to further the carrying into effect the noble design, they may rest contented, that their pigmy opposition will not be heeded so long as the object sought for is constitutional, expedient, and necessary for the welfare of the country.

With regard to the constitutional legality of putting arms into the hands of the householders in our towns, for the preservation of the public peace, and protecting their rights and privileges, no man who knows any thing at all of British history, can entertain a doubt. Another weighty reason for adopting this peaceful plan, to which we shall now advert, namely, the propriety of putting the country in a state that shall not tempt a faction rendered desperate by disappointed ambition, to make experiments on the patience of the people in their progress of getting rid of their harrassing burthens, and insuring the public tranquillity.

We speak in the spirit of peace, which we cherish as the first of blessings; and as we are taking ground which we think strictly constitutional, we hope to convey the judgment of our readers along with us. But though nobody should act upon our views, we shall not be disappointed. We love to sow great truths and sound principles, in the belief that they will bear fruits sooner or later. It is plain then, to us, that the constitutional position of the boroughmongering oligarchy has been strangely at variance with their hopes and purposes. It is evident the King is against them; the House of Commons is against them; and in the country, they have been routed at every point. While the friends of reform have sent up their petitions, there is not a single spot in the empire, from the smallest village up to the metropolis, *where the partizans of the oligarchy have dared to hold an open meeting*. They have been known

only in the rotten burghs, and in a parliament too often replenished from these sinks of corruption. As a party in the nation, they have ceased to exist. If popular will is one element in our government, such men have no more title to rule us than the grand Turk. They could not gain power and hold it without trampling under foot the *constitution*, for this word simply expresses the plan of government which the people have established for the conservation of their rights and liberties. Such is their position. But it is quite clear from their language and continued factions, nay, tyrannical deportment, that they do anticipate getting the powers of government into their own hands, and of course, making a mighty effort to overturn those great reforms which the legislature has enacted for the benefit of the community.

What their means may be, we leave others to conjecture. Of this we are sure, that they cannot be constitutional. The subject is one upon which, for many reasons, we shall not dilate; but we ask any person of common discernment to look around him, and to say, whether it is not within the range of possibility, or even probability, that the event we allude to shall arrive, and that too, perhaps, before they are aware. We ask him next, to say, what it is that can give a party, insignificant in number, the confidence to brave the entire nation, and to continue to resist its deliberate will, backed by the king, and expressed through its ligitimate organ? It must be the army, and the army alone. Either they are madmen, or this is the reed upon which they lean. Their partizans have indeed made no secret of their intentions. Of course they are too cunning to throw aside all at once the forms of a free government. They would try to get a parliament manufactured by rotten boroughs and rotten counties, to lend the semblance of legality to their unconstitutional proceedings; but their true reliance would be upon the sword, which has been the tyrant's stay in every age.

They know that soldiers are trained to obey their leaders blindly, and they naturally imagine that the army would be a ready instrument in their hands for treading under foot the liberties of the people. They *think* the yeomanry would second them also in their de-

signs. Whether they judge right or wrong, it is not for us to inquire; for miserable, we say, is the condition of a people whose freedom has no better guarantee than this. The truth is, that for the last seventy years, indeed for a longer period, the dominant oligarchy have been continually undermining the defences of the people. And they will undermine still, even those liberties we have lately acquired, unless we put ourselves in a condition to resist their subtle aggressions.

We need not tell those who have studied the theory of government, that all political power resolves itself finally into the power of the sword. Rome had a senate under Tiberius, and France its chambers under Bonaparte; but what were these bodies in the presence of half a million of soldiers, drilled to implicit obedience? Mere shadows! What would any set of rulers care for petitions and remonstrances, if physical force or armed resistance were not seen obscurely in the back ground, as the ultimate consequence of opposing the people's desires.

Hence free nations have always retained the power of the sword in their hands; and if they parted with it, the loss of their liberty was invariably the penalty of their fatal error. What was the secret of the tumultuous, but manly freedom of the Greek republics? Simply, that every free citizen had arms in his possession, and was taught the use of them as a part of his education, while the governors had no bands of mercenaries to aid them in their bad designs.

The very first act of the thirty tyrants of Athens, was to raise an armed guard of three thousand men for themselves; and this was no doubt followed by a disarming of the few remaining citizens, whom the long previous wars had spared.*

The disorderly liberty of Rome in the period of the republic, rested on the same foundation; and the Swiss, in modern times, are indebted for the imperfect liberty

* Triginti rectores reipublicæ constituuntur *qui fiunt tyranni quippe a principio tria millia sibi satellitum statuunt*——Librati metu tyranni miseras urbis reliquias caedibus et rapinis haurieunt. Justin Lib. 5.

they still retain, to their national guard, called a militia, comprising every man able to bear arms.

But look at the American republic, the great exemplar of true freedom in modern times? Does it confide the protection of its rights to the votes of congress, and the generosity of a mercenary soldiery? "In the American system," says an excellent traveller, "the superior power is in the nation, which has reserved to itself the means, both of manifesting and *enforcing* its will. The house of representation is the organ it employs for the first of these purposes, — *the militia for the second.* These together constitute the moral and physical expressions of national sovereignty. Should the nation give the sword from its own grasp, while its own organ is still uncontaminated, 'the latter,' to use Mr Taylor's expression, 'is John the Baptist preaching to a wilderness.' Nor will the barren boon of proclaiming its own imbecillity be long conceded to it. That branch of the government which had found means to *disarm* a nation, will not long fail, either forcibly to silence its representatives, or still more fatally, to convert them into panders of its will, and sharers in its corruption."*—"When a government is stronger than the nation, national sovereignty is a dream, and constitutional rights waste paper, on which government inscribes taxes, standing armies, patronage, and corruption."†

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* Lieutenant Hall's Travels in Canada, and the United States, 1818, p. 531. The reader is in no danger of confounding this intelligent and liberal traveller with his name-sake of recent celebrity.

† The nervous horror expressed by some wise acres, at the very idea of arming the householders is to us infinitely amusing. Did it never occur to those persons that we have thirty or forty thousand armed volunteers of one description already in the country—namely, the yeomanry?

We should be glad to know in what respect the farmers, shopkeepers, master tradesmen, and small attornies in rural districts are more worthy of being trusted with lethal weapons than the middle classes in town, who are generally better educated, have as great a stake in the country, and are much more exposed to suffer from tumults and breaches of the peace? We do not wonder indeed that country squires despise our citizens, considering the pitiful plight they submit to be placed in: when symptoms of riot appear in a town, instead of the house-holders taking arms to defend their families and property, the poor cravens sit still or go out as constables to be mauled and laughed at, while couriers are dis-

The American people are stronger than the government, in proportion of fifty to one, or of 500,000 *militia* to 10,000 regular troops; and if we take into calculation the immense territory over which the regulars are scattered, the proportion may well be set at 500 to one. Since this was written, the American army has dwindled down to 6000, and its militia swelled to a million. We should like to see the legislature who would propose to that sagacious and high-spirited people, to disband their militia, as a source of personal trouble and government annoyance; and to raise the regular army to 90,000 men, "for *the protection of their liberties*," as Lord Castlereagh had once the hardihood to propose in the British House of Commons! To a certainty, *he* would never shew his face a second time in Congress.

Time brings about marvellous changes. From the Revolution, down to the close of the last century, we hear perpetually of the dangers of a standing army to the national liberties. We can scarcely open a page of the olden parliamentary debates, without stumbling on this topic. Now-a-days, when the army is ten times greater, and the militia, as a popular force, annihilated, we hear persons professing liberal sentiments, scouting the plan of putting arms into the hands of the people as tending to "overawe the government!" What would Pym, or Hampden, or Locke, or Sergeant Maynard, or Andrew Marvel, or Sir George Loville, have thought of such apprehensions? The Americans, who had a musket in the hands of every man between eighteen and forty-five, must have the most sadly "overawed," and of course, the *worst* government in the world. The peace establishment of Britain was fixed at the peace of Ryswick, in 1697, at what does the reader think? At 7000 men. And what was the amount of the militia at the same period? About 100,000. The militia was then to the regular army as fourteen to one! At this day the regular army consists of above 126,000 men, of

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patched to summon the said squires with their yeoman from the neighbouring fields, and they as a matter of course arrive at the scene of action some hours after the mischief is done.—*Scotsman.*

whom about 50,000 are in the country. The militia, which was some years ago about 75,000, is now, we believe, under 50,000; and so constituted, as completely to burlesque its ancient function of defending the national liberties.

So far, indeed, as regards its constitutional purposes, it is now an absolute *nonentity*. The regular army has also undergone a mighty change. "In a land of liberty," says Blackstone, "it is extremely dangerous to make a distinct order of the profession of arms. In free states, no man should take up arms but to defend his country and its laws: *he puts not off the citizen* when he enters the camp, (every soldier should remember this;) but it is because he is a citizen, and would wish to continue so, that he makes himself for a time a soldier. The laws, therefore, and constitution of these kingdoms, *know no such state as that of a perpetual standing soldier*, bred up to no other profession than that of war." "The soldiery are to be looked on as temporary excrescence bred out of the distempers of the state, and not as an part of the permanent and perpetual laws of the kingdom."*

Such was the language held by even the courtly Blackstone, so late as 1765, when the army consisted of 16,000 men—language which the maxims of our times would lead us to regard as some centuries old! Blackstone viewed mercenary soldiery with apprehension; but he never dreamed of the armed people being an object of constitutional jealousy. In our days, persons calling themselves liberal, are full of suspicions the moment we speak of putting muskets into the hands of the citizens. But a regular army, paid and officered by the oligarchy, increased six-fold in numbers, and backed by vast reserves of yeomanry, formed out of the retainers of the same oligarchy, gives them no uneasiness at all. The mere increase of numbers in the army is still of less consequence than the change which has been made in its constitution.†

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* Blackstone's Commentaries, Book i. Chap. 13.

† We hope the time is not far distant, when a liberal govern

"In a free state (says Blackstone), the military force like ours, should wholly be composed of natural subjects; it ought only to be enlisted for a limited time; the soldiers also should live intermixed with the people—no separate camp—no barracks—no inland fortresses should be allowed. Whether limited service prevailed a cen-

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ment indentifying itself with the people will revive the ancient English National Guard; for England had a national guard in those days, in which the foundations of her liberties were laid. "Besides those who were appointed to perform forty days service in the field, (says Blackstone) the *Assize of Arms* enacted 27th Henry II. (a few years prior to Magna Charta) and afterwards the statute of Winchester under Edward I. *obliged every man* according to his estate and degree to provide a determinate quantity of such arms as were then in use, *in order to keep the peace*, and constables were appointed in all the hundreds to see that such arms were provided." This species of force which continued in use till the arbitrary reigns of the Stewarts was the parent of our present militia, the constitution of which has been so much changed, as in a great measure to destroy its original character. Scotland had its National Guard in ancient times too, though its composition is more obscure. Besides the militia of the Fiefs there was a militia of the nation, comprehending all the freemen between sixteen and sixty, who were required to provide themselves with arms fitted to their rank in life. Persons possessing £100 in moveables were to have a horse and complete armour, the accoutrements of those worth £50 were less costly. Burgesses and proprietors worth £20 were bound to provide themselves with a habergeon or defensive doublet, an iron hat, a bow, and a case of arrows, a sword, buckler, and a knife; and men of inferior degree were to be armed to the best advantage at the discretion of the sheriff. There were annual *weapon-showings* or exhibitions of arms, in presence of regular inspectors, and "captains chosen in every parish by its magistrates, and the kings commissioners exercised this national militia—vestigesof this inspection remain at the present day. In many of our burghs when a person is entered as freeman, he is asked "whether he will serve with a pike or a gun," and pays a sum nominally for procuring the arms, which is less or greater, as he prefers the one or the other. The weapons were changed by the statute Ph. and M. into others of more modern service." From the Laws of Edward the Confessor it appears, that it was the privilege of the armed people to elect their commander, and doubtless the inferior officers too; in their assembly or folkmote, "following still, says Blackstone, that old fundamental maxim of the constitution, that where any officer was entrusted with such power, as if abused might tend to the oppression of the people, that power was delegated to him by the people themselves. (Com. B. i. c 13)."—*Scotsman.*

tury ago, we have not time to inquire, but the attempt made by the whigs to introduce it in 1806 has been substantially defeated. The enlistments are now generally for life—the soldier lives entirely apart from the citizen; and *we have now in the country 300 of these barracks*, or inland fortresses, which Blackstone deemed unconstitutional. The original period of service for the militia was three years; it is now five. Formerly the men were not required to serve out of their counties; but now when employed at all, Scotland, England, and Ireland interchange their militia with one another; so that each portion of the force placed among strangers with whom it has no sympathy, drops the ties and feelings of the citizen, and becomes, like the regular army, a blind instrument in the hands of its leaders.

Formerly, when the service was for three years, and within the county, nearly all took arms upon whom the lot fell; now, owing to the changed terms of service, the ranks are filled to a great extent during peace, and almost entirely during war, with hired substitutes, consisting of the lowest of the population.

Formerly, the millitia was employed to quell mobs, or as Blackstone expresses it, it was the constitutional security which our laws had provided for the public peace. Now, it is unknown in this capacity, or rather is superceded by the yeomanry. Indeed it is totally unfit for it—for the crowning measure—the masterstroke of the oligarchy for crippling the "constitutional guardian of our liberties has yet to be told. THE MILITIA ARE NOT ENTRUSTED WITH THE CUSTODY OF THEIR OWN ARMS! The poor creatures are sometimes not called out for the whole term of their service, if drawn together for exercise, their arms are handed to them out of the *depot;* when the term of 14 or 28 days are finished, they are again taken from them and *locked up*, and the constitutional guardians" now dismissed, might perhaps, if the times were troublesome, get the yeomanry to protect them on their way home! The yeomanry, we need not say, keep their arms in their houses; and in fact, the object has clearly been to make this force, which consists of picked men, supercede the militia, which ought to be raised by indiscriminate enrolment. Even the

French National Guard, (though much looser in their organization than our militia,) keep their arms, and did so under the Bourbons.*

Yes my friends; thus the matter stands, thanks to the crafty and treacherous policy of our rulers; *we are now a disarmed nation;* the power of the sword is reft from us, that power, by which the British people won their liberties, and without which, no nation ever preserved them. We have numbers, but of what avail are numbers against arms, discipline and organization; let us confess the truth; we lie defenceless, powerless, and helpless, at the feet of any gang of oligarchs, who can get the home army of 50,000 men, and the supplementary army of 45,000, into their hands.

It is an established maxim, that if a state wishes to enjoy peace, it should be prepared for war. The same principle applies to a people, when dealing with its rulers. If it desires to enjoy its rights unmolested, it should never suffer itself to be in a condition which may tempt bad rulers to encroach on them; it should not at once give up its own arms, and increase a stipendiary force, six-fold which may be employed against it. It is upon this ground that we call for a return to the ancient and true policy of both England and Scotland, for arming the people, or at least householders. We are now in a situation which invites attack, and it is this, and this alone, which gives the oligarchs the audacity to resist our desires, and prevent those reforms which the people of Britain so justly demand.

Lastly, we dislike the arming of a party, and our wish

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* The British are undoubtedly a high-minded people, they are busy and partially ignorant, and will endure many evils, as long as they do not see them, or see them only indistinctly, but they are sadly changed if after their eyes are opened to their wrongs, they submit to live quietly under them. Tyranny has many forms, but its essence always consists in this, that men are governed by a system which they believe to be adverse to their interests, and which exists in opposition to their wishes. The men who yield obedience to such a system carry about with them the consciousness of being enslaved, and are slaves to all intents and purposes, however moderate and reasonable the actual condition of their rulers may be.—*Scotsman.*

would therefore be, that whigs, radicals, and tories, should be enrolled indiscriminately, and only those who were householders. They ought to be permitted also to elect their own officers by ballot, as the American militia do; but those elected to pass through an examination, with regard to their acquirements and expertness in military affairs.

To conclude, let the people of Britain bear in mind, that the formation of a British National Guard must, sooner or later be their chief care, and one of the main objects for which reform was granted, in order to enable them to accomplish it; and when atchieved, which we trust it will be ere long, then shall the British people in good earnest, have it in their power TO MARCH AGAINST TYRANTS! TO FIGHT FOR THEIR LIBERTIES! TO CONQUER OR DIE! *

SECTION XXIII.

CORRUPTIONS IN THE JUDICIAL SYSTEM OF LAW.

THE independence of the judges has so long formed a current theme of admiration, that it appears almost presumptuous to call it in question. Yet the difference be-

* Liberty has been so little understood in this end of the island that few persons are aware of the right belonging to all the king's subjects of having arms in their possession, not only for the protection of their arms and persons, but in an extreme case of resisting the tyranny of their rulers. "The fifth and last auxiliary right of the subjects (says Blackstone), is that of having arms for their defence, suitable to their condition and degree, and such as are allowed by law, which is also declared by the statute, 1. W. and M. st. 2. c 2. and is indeed a public allowance (recognition) under due restrictions of the natural right of resistance and self-preservation, when the sanctions of society and laws are found insufficient to restrain the violence of oppression" (Com. vol. i. Chap. i.) We agree with Mr Fox that this is a right which rulers should never forget and their subjects seldom to remember. We are not fond of seeing it thrown into the arena of discussion, and we only allude to it here, because we find there are persons who believe the simple possession of military arms is a crime.—*Scotsman.*

tween them and other functionaries is not so apparent as is generally assumed. It is true, the judges hold their situations for life, unless guilty of some flagrant impropriety; but the same may be said of other appointments under the Crown, the possessors of which are seldom disturbed, so long as they correctly discharge their duties; or if they are, they invariably receive a superannuation-allowance, or compensation equivalent to the loss they have sustained. As respects, then, the tenure of office, the sages of the law cannot arrogate a great pre-eminence over other placemen: as respects those causes which ordinarily influence individual conduct—the lure of ambition—the temptation of lucre—and the seduction of indolence—they have still less to pride themselves.

A judge, like a bishop, may be *translated* from a lower to a higher dignity—from a judgeship to a chief-justiceship, from that to a peerage or a seat in the cabinet; he may be removed from an office of £5,500 per annum to one of £10,000, and boundless patronage: he may be taken from a court where he is overwhelmed with the claims of duty, to one where the most important duty he has to discharge is to receive his salary. How then can it be alleged the judges are independent and exempt from ministerial influence, when the ministers have similar alluring temptations to hold out to the bench as other functionaries, and similar means of rewarding subserviency?

Other causes operate unfavourably on judicial appointments. Instead of the individuals elevated to the bench being a selection from the entire bar, of men the most distinguished for ability, probity, and independence, the choice of the ministry is limited to men of their own party. A Tory minister never chooses a Whig judge; nor the contrary. This tends to lower the character of the judges in public estimation, by clearly evincing that politics, as well as legal fitness, have a share in ministerial appointments. It also instils into the mind of both expectant judges, and of men already on the bench, a party feeling fatal to strict justice on political questions.

So well establised is this fact, that it is notorious, whenever a question comes before the tribunals, whether it be upon a prosecution for libel, or upon any other

matter connected with government, the council, at their meetings, take for granted that they can tell pretty accurately the leaning of the court, and predict exactly which way the consultations of the judges will terminate. It is very unfortunate the judges should be always on the ministerial side of politics; but there is no help for this, while they continue to be selected on the exclusive principle. They have their opinions on public questions as well as other men; they know they fill a certain situation, and they cannot forget by whom they were placed there, or for what reason.

With these remarks we shall leave the venerable occupiers of the bench, on whom we had no intention of offering any observation; but in some way their situation obtruded itself on our notice, on first entering on the consideration of the important subject of this chapter. We shall now proceed briefly to notice the more prominent abuses in the laws and their administration.

The whole body of law, so far as regards England, is divided into two kinds—the Common and Statute Law. The Common Law is founded entirely on custom or precedent, and the decisions in the courts of justice.

It is not founded on any Act of Parliament, nor on any legislative enactment; it is recorded in no public document; the only memorials of its existence, are to be found in traditional maxims, records of pleas, books of reports, or the treatises of men eminent in the profession. It is evident, that the laws originating and preserved in this manner, must be vague, obscure, often absurd, and even contradictory. The Common Law is, in fact, a monument of the opinions, errors, knowledge, and ignorance, of every period of society; it has flowed down the stream of time, accumulating like some mighty river, and carrying along vestiges of the learning and ignorance, folly and wisdom, of every age through which it has passed.

How unworthy such an incongruous mass must be of the present age; how inapplicable to the usages of society; and how difficult it is for any individual to obtain a knowledge of such an *onus camelorum*, it is unnecessary to describe. Unsuitable as such a system of law is, to fulfil the ends for which all laws were originally intended, it forms a very considerable part of the laws of this coun-

try. It is in virtue of the common law, that the eldest son inherits from his father; that property may be purchased and transferred by writing; that a deed is void, if not sealed and delivered; that money lent upon bond is recoverable by action of debt; and that a breach of the peace is punishable with fine and imprisonment. These are doctrines not established by any written statute or any legislative enactment, but depend solely upon immemorial usage.

SECTION XXIV.

STATUTE LAW.

So much for the Common or Unwritten Law; next for the Statute Law, which exhibits a still more frightful chaos. Statute law consists of all those acts, edicts, and statutes, made by the King, with the consent of the Lords and Commons in Parliament assembled. The oldest of these now extant, and printed in the statute books, is *Magna Charta*, as confirmed in Parliament by 9 Hen. III. There were doubtless many acts before that time, the records of which are now lost; and which most probably were the foundation of some of the maxims in the old common law.

No man in England professes to be acquainted with the statute law—not even the Lord Chancellor nor the Lord Chief Justice. It is such a prodigious compilation, that a knowledge of it is wholly unattainable. No one knows exactly what is law in England; though every individual is presumed to be acquainted with it, and ignorance is admitted as no excuse for its violation Any one may become a legislator for the whole country; he has nothing to do but to turn to the statute-

book; he will there find laws in abundance, of which no one has any knowledge; he may adduce them as the law of the land; he cannot be contradicted, unless some subsequent statute can be found by which it is repealed, and which it would probably require a year's labour to discover.

How ignorant the most eminent in the profession are on this subject, we may gather from a speech of the late Lord Stanhope, on the revision of the statute-book. Some of the most striking facts mentioned by his Lordship, we will here insert. Conformably with a motion of his Lordship, the judges were directed to prepare a bill, reducing into one act all the acts imposing the punishment of pillory. At the end of the bill the judges inserted some observations, stating that pillory was the punishment for some offences not merely by statute but at common law; and also they could not say whether there might *not be statutes on the subject which had escaped their attention.* Their surmise was just; for Lord Stanhope afterwards discovered two more statutes, passed in the reign of George II. which had wholly escaped their investigation. Here then was an instance of the twelve judges not being able to discover all the acts inflicting a single punishment.

The same noble Lord, wishing to ascertain how far the judges were agreed as to what was the law on several particulars, put to them various questions. For instance, he asked whether a person digging the brick earth from his own field, there manufactured into bricks, and sold, thereby made himself a trader liable to the bankrupt laws? The judges of the common pleas were clearly of opinion one way, the judges of the king's bench were as clear the other. Lord Thurlow was reputed a most admirable common lawyer; but he was worsted on one occasion, in a dispute which he had with Lord Stanhope, on the subject of a statute;—Lord Stanhope proving to be right, and old Thurlow wrong. This, says Lord Stanhope, was a great feather in my cap.

One day as these noble lords were sitting together on the woolsack, Lord Thurlow said, "I should be ashamed of myself if I was not accurately acquainted with the common law; but as to your d——d statute-

book it is impossible to be acquainted with it. His lordship also related another anecdote of the celebrated Mr Dunning, afterwards Lord Ashburton. Lord Stanhope consulted Mr Dunning on a certain statute regulation relative to the excise, and his answer was, "Now I'll tell you all about it; but I never do answer these general questions when applied to by others. I always tell them, shew me the statute to which you refer, and I will *expound* it for you, but that is all I can do." Now this was doing about as much as we could do ourselves, or as much as any person could do, who has a tolerably clear head, and not much disturbed by worldly affairs.

Such is the immense number of law-books, and their ponderous size, that it would require the age of the patriarchs to acquire a knowledge of them. They are literally Ossa piled on Pelion, a huge unformed mass, which no man can fathom. Lord Stanhope mentions a little *pocket compilation*, Viner's Abridgement, comprised into twenty volumes folio, which it is considered necessary for every lawyer almost to know by heart. Gracious heaven! only think of that! Mind, too, this is a mere abridgement—bare memoranda of the great originals; and had it been continued to the present time, it would have amounted to more than one hundred folio volumes, necessary to be carried either in the head or pocket of every English lawyer.

The most condensed edition of the statutes at large, yet given to the public, occupies thirty-nine volumes in quarto; seven volumes and a half of which comprise the acts from Magna Charta to the end of the reign of George II. the remaining thirty-one and a half being filled with those of the two last reigns. Since the union with Ireland, a huge closely printed volume has been published every one, two, or three years, and the average number of public acts passed in each of the last twenty-eight years amounts to one hundred and forty. It is calculated that at the end of the present century, the statutes will occupy one hundred ponderous quarto volumes, and the number of public acts will amount to fourteen thousand. The present generation complain of

being overwhelmed with law, but what will be the situation of posterity?

We have said nothing yet of *Reports of Cases.* These form an indispensable part of a lawyer's knowledge. It is well known that decisions in courts of justice become a part of the law; and when a point has once been decided, it must be determined in the same way again, unless the precedent can be proved erroneous.

Reports of these decisions are published annually; they already amount to upwards of 280 volumes, exclusive of those which relate to election, admiralty, and ecclesiastical law. But this is not all: they are going on increasing amazingly; every year adds eight more to the original stock; so that in twenty years there will be 160, and within the century 720 additional volumes, making 1000 volumes of reports, which, with 100 quarto volumes of statutes, will form a lawyer's library, that it is not only necessary he should read, but digest, and, if possible, understand.

This is English law, the perfection of human wisdom! Let us, however, pause a moment, to reflect on this mass of legal lumber, this grossly absurd system of legislation. It is considered a settled maxim in jurisprudence, that every state, within the limits of its own territory, ought to exact, and its subjects to yield obedience to, all its laws. The foundation of the obligation on the part of the people (say the Quarterly Reviewers) is, that the legislative authority on its part is presumed to have made the laws so CLEAR, that every member of the community either knows them or must be *culpably inattentive if he does not.* This principle is undeniable. It would never do to allow ignorance to be an excuse for the violation of laws.

But how can any person be acquainted with English law? How can the legislature have gone on for centuries legislating on such an absurd presumption, and presuming that every individual in the empire was acquainted with their enactments? How can men of business read, digest, and understand one thousand volumes of reports, and one hundred quarto volumes of statutes? How can the people understand the law, when even the judges, whose whole lives are devoted to the subject, are

in the most pitiable state of perplexity, uncertainty and contradiction? Can any thing in the whole world be imagined more completely absurd and ridiculous? Had the whole system been blindly scraped together from every age, nation and tribe in the universe, from the farthest extremity of Siberia to the remotest deserts of Garamantes, it could hardly have presented a more confused and hideous jumble than the Statute and Common Law of England.

One cause of this profuse, headlong, and inconsistent course of legislation, has been the reckless facility with which Parliament has multiplied laws on a given subject, when a general enactment might have been framed adequate to the several occasions. Since the beginning of last century 4000 bills for enclosures of wastes in as many parishes have been passed, proving to demonstration the want of a general law on the subject; while, in the whole of that time, not a step has been taken towards enacting such a law, and so saving the community the prodigious waste of private funds and public time consumed in the passing of so many different statutes. The same observation applies to the innumerable acts passed for lighting towns with gas, and for the purposes of police and local improvements.

Upwards of fifty acts have passed relative to game; forty-eight relative to parliamentary elections; and seventy-six indemnifying dissenters for not qualifying themselves for offices and employments. There are many acts of a temporary and local nature. No fewer than sixty acts have passed for the recovery of small debts in different parts of the country, and fifty of them during the last two reigns. There are some acts relative to the baking of bread, and prohibiting the bakers from selling it unless it has been baked twenty-four hours. About the packing of butter, there are somewhere about a dozen different acts; as though it were necessary to instruct people to pack butter by act of Parliament. One act on this subject relates to the packing of butter at Malton, in Yorkshire; another to the packing of butter in the city of York, a few miles distant; and another on the same subject for Ireland.

Innumerable laws have been enacted relative to the

woollen, linen, and cotton manufactures; the whale, cod, herring, and pilchard fisheries; cheese, lace, sugar, glass, and almost every article of wear or consumption, have been the objects of parliamentary regulation. The whole of the statutes on wool amount to 987; and on the subject of gold and silver, 290; on tobacco, 460; on the fisheries, 970; and on a variety of other subjects in proportion. Relative to the poor, there are 350 public acts; besides 135 local acts. By some of these acts, the poor are farmed out, by others flogged. Of these local acts, five passed in the reign of George II.; the remaining 130 in the reigns of George III. and IV.

Besides the number of acts, other causes of the confusion and perplexity of the statute-book, arise from the immense number repealed and re-enacted, and then partly repealed again, with a "so far as," and "so forth;" also from the mass of altering, amending, and explaining acts; of acts, for instance, for "removing doubts," for "rectifying mistakes," for "relieving from the provisions," for "deferring the commencement," for "facilitating the execution,"—to say nothing of acts of total repeal. No fewer than 1874 acts were repealed in the reigns of George II. and III.; 419 in the former; and 1455 in the reign of the latter; which made Lord Stanhope remark, "they had been passing bills by waggon loads, and repealing them by cart loads."

Nothing has tended so much to swell the statute-book as the enormous increase in taxation, and the consequent increase in the number of revenue laws. During each of the last twenty-eight years, the number of acts passed, which relate strictly to the revenue, has amounted to forty; and those which are connected with them indirectly, and but for them would never have existed, to nearly twenty more; which comprises about half the whole number of laws annually enacted.

The acts lately in force with regard to spirits alone amounted to 140; an attempt has been made to consolidate them, but as new acts are yearly being added, both as regards spirits and custom duties, the merchant and trader will soon be involved in as great a labyrinth as ever. The stamp acts amount to more than 150, and they still remain unconsolidated. So do the innumera-

ble acts relative to the coin. Soap, candles, and distilleries are under excise lock and key; and, in many instances of exciseable manufacture, it is impossible to carry on the different steps of the process with advantage, from the delay and interruption from the visits of the excise. What a bungling piece of legislation has been the attempt to simplify and regulate the duties on malt!

SECTION XXV.

OPPRESSIONS OF THE REVENUE LAWS ON THE MIDDLING CLASSES.

On the middling classes these laws are peculiarly oppressive;—and yet they are unceasingly told, and many of them apparently believe, that a *reform in Parliament could do no good!* Would it not, we would ask, relieve them from the vexatious inquisition and endless interruption and restraint on the operations of trade under which they now labour? Would it not, in short, cause an entire revision of that cumbersome and absurd system of jurisprudence which we have attempted to describe;—reduce the statute-book to one-hundredth part its present bulk; consolidate the almost innumerable local acts into more general laws; and abolish all those unjust and impolitic enactments which interfere with industry and commerce. Such numerous laws are no doubt useful to the profession, they afford a fruitful and endless source of litigation; they are *glorious* things, as Lord Stanhope remarked, for attorneys, conveyancers, special pleaders, barristers, and so forth, but most inglorious and calamitous for the public.

We shall only make one or two remarks on this topic, and that is relative to the language and manner in which acts of Parliament are drawn up. It is evident that all laws ought to be intelligible to those on whom they are intended to operate; otherwise it is wilfully creating an ignorance which will not be admitted as any excuse for their violation. It is difficult to see why they could not be so clearly and simply worded as to be intelligible to ordinary capacities, without the assistance of either attorney or lawyer. They involve no abstract theorem; they are a mere statement of facts, requiring something to be done or not to be done; which, really one would think, might be made intelligible without the continual assistance of interpreters, at an enormous expense.

The obscurity and perplexity of some acts arise principally from a perverse deviation from the ordinary language of civil life, an overwhelming verbosity and endless repetition of "he, she, they," "him, her, it, and them," the "aforesaid," and "so far as," the "so forths," &c. which render the whole so involved and perplexed, that one would suppose the legislature, instead of endeavouring to render the laws as lucid as possible, had purposely involved them in the greatest possible darkness.

From the habitual indulgence of fiction and tautology the minds of lawyers—for it is lawyers who draw the acts of parliament—become so inveterately alien to truth and simplicity that they cannot be otherwise if they would; and, accordingly, we find in those cases, where their intention has really been to be intelligible, that their language involves so much complexity—there are so many crotchets and puzzles—that they entirely fail in their purpose and defy comprehension by ordinary minds.

We shall give an instance of this from one of Sir Robert Peel's consolidatory acts, the 7 & 8 Geo. IV. c. 28; which is the more remarkable, because the express object of it is to obviate obscurity and misapprehension, by giving a simple and general rule for the interpretation of criminal statutes. The clause to which we allude is the 14th, and expressed as follows:—"Whenever this or any other statute relating to any offence, whether punishable upon indictment or summary conviction, in describ-

ing or referring to the offence, or the subject matter on or with respect to which it shall be committed, or the offender or the party affected or intended to be affected by the offence, hath used, or shall use words importing the singular number or the masculine gender only, yet the statute shall be understood to include several matters as well as one matter, and several persons as well as one person, and females as well as males, and bodies corporate as well as individuals unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction; and wherever any forfeiture or penalty is payable to a party aggrieved, it shall be payable to a body corporate in every case where such body shall be the party aggrieved."

An *unlearned* person might possibly guess at the intended meaning of this explanatory rule, and a lawyer no doubt—and this would be deemed by him its chief excellence—would be able to draw from it a dozen different interpretations according as they best suited the purposes of a client.

Things the most heterogeneous are frequently jumbled together in the same act of parliament, and the title is often as remote as possible from the subject matter of the statute. These are called "Hodge-podge Acts," and are very numerous. Who, for instance, would expect to find the regulations under which petitions may be forwarded to members of parliament, in an act for laying an additional duty upon tea and sugar? The commencing clause of the statute, under which Vauxhall and other theatres and places of entertainment are licensed is as follows:—"Whereas, the advertising a reward with no questions asked, for the return of things lost or stolen, is a great cause and encouragement of robberies, be it enacted," &c.

Many may recollect that Sir R. Peel, on introducing into parliament his bill for amending the larceny-laws (March 9th, 1826), cited the title of one single act, which embraces no fewer than the following bizarre miscellany—the continuing several laws therein mentioned; the carrying of sugars in British-built vessels; the encouraging the importation of naval stores; preventing frauds in the admeasurement of coals in the city of West-

minster; and preventing the stealing or *destroying of madder roots*. Another act he referred to forms a still more whimsical olio, and is intituled, "An Act for better securing the duties of customs on certain goods removed to London; for regulating the fees of officers in His Majesty's customs in the province of Segambia, in Africa; for allowing the Receiver-General of Fees in Scotland proper compensation; for the better preservation of hollies, thorns, and quick-sets in private grounds, and trees and underwoods; and authorising the exportation of a limited quantity of barley from the Port of Kirkgrow." Such acts runs very much like cross readings in a newspaper, and those who wish for further amusement of the sort will find it in Mr Wickens's publication on the *Division of Labour in Civil Life*, where the subject is pursued to a greater extent than our limits will admit.

Notwithstanding the laborious and tiresome precision of statutes, they frequently comprise the most egregious blunders. There is a singular instance of one in the 53d George III.: by the 18th section, one half the penalty is to go to the king and the other half to the informer; but the penalty happened in this case not to be a fine, but fourteen years' transportation; so that fourteen years transportation were to be equally divided between Messrs. Byers and Co. and his Majesty!

SECTION XXVI.

CAUSES OF BLUNDERS IN THE LAWS.

One cause of this blundering work is to be found in the vicious mode of transacting business in the House of Commons. It is well known law-making is a sort of

after-dinner amusement, which commences when gentlemen have taken their wine—when the theatres have closed—and the night-houses are thrown open for the reception of customers. It cannot be matter of surprise if, under such unfavourable circumstances, the nocturnal occupations of the collective wisdom exhibit strange examples of forgetfulness, haste, and confusion. We, indeed, are often astonished things are not worse, when we reflect on the course of parliamentary proceedings—no division of labour, or exclusive devotion to legislative duty—all chance medley, helter-skelter, volunteer and amateur exertion—the chief manager straining every nerve to get through public business before the setting in of the dog-days—stratagems to steal a march on Mr Hume or Sir James Graham with the estimates—packing a house for a job or private bill—jaded ministers dropping in late from their offices or a protracted cabinet-council—country gentlemen from a tedious morning-waiting at the treasury for places and appointments—lawyers from the courts—and the sons of riot reel in at midnight, from the saloons and club-houses, in quest of divertisement—and thus business goes on, and a house is formed of men distracted with their individual avocations, or suffering from lassitude and over-excitement.

They talk and talk, it is true, without end, as people mostly do when not fully master of their subject; but their ideas are crude—there has been no preparation or concentration of thought—and all their doings bear evident marks of the intellectual chaos from which they spring. We had a ludicrous illustration of what we are stating only the other session: the House was in a committee, and had been debating, as usual, to no purpose, for the space of six hours, when the chairman got up, and with great gravity, said, "he should be extremely obliged by any honourable member informing him what they had all been talking about!"

Such mode of legislation has striking results; it impoverishes the people by litigation, and multiplies and augments the emoluments of a mercenary profession. In the number and magnitude of inns of court and other public buildings, the legal classes rival the ancient religious houses; and their unavoidable and constant in-

tervention in all the affairs and transactions of civil life gives them an influence equal to that of the priesthood in the ages of superstition.

In the metropolis are nine superior courts, four ecclesiastical courts, twenty courts for the recovery of small debts, besides courts of oyer and terminer, courts of general and quarter-sessions, coroner-courts, and courts of petty sessions for the purposes of police. Attached to these courts are eight hundred officers, exclusive of judicial functionaries. To these may be added 500 barristers-at-law, 3000 certificated attorneys, 130 conveyancers and equity draftsman, 67 special pleaders, 84 proctors, 40 public notaries, 6000 clerks and assistants, besides doctors-at-law, sergeants-at-law, and king's counsel, making a legal phalanx, in the metropolis, of nearly 10,000.

In the country they are not so concentrated, but more numerous. From "Clarke's Law List," it appears there are, in the country, including England and Wales, 4500 attorneys and conveyancers who have taken out certificates. The number of clerks and assistants cannot be estimated at less than 9000; so that the number of persons in the country, in the legal department, is 13,500; and if we add 10,000 for persons of a similar description in the metropolis, we have a total of 23,500 persons, whose sole employment is to render the laws intelligible, and justice attainable to the people in England and Wales.

This estimate, we are persuaded, is a great deal below the truth: many attorneys in town employ more than twenty clerks, and the majority employ three or four. Perhaps it would not be too much to estimate the total number of counsel, attorneys, clerks, assistants, &c. in England and Wales, at thirty thousand. In this enumeration is not included the justices of peace, amounting to 4,500, nor the judges in the different courts, the sheriffs, nor any portion of the magistracy, whose office it is to administer justice, and who employ an innumerable number of clerks and assistants.

The classes we have mentioned form only that branch of the profession who owe their origin, in a great measure, to defects and obscurity in our jurisprudence. It is the

duty of the legislature to render the laws so clear, and the form of proceeding so simple, that persons of ordinary comprehension would generally be able to understand the one and pursue the other, without the aid, in every case, of a legal adviser.

The adage says—*Many hands make light work;* but the maxim is reversed in law; and the swarm of practitioners is a principal cause of the multiplication of suits, their protracted duration, and consequent pressure of business in the courts.

Dr. Colquhoun estimated the total income of the legal classes, when the amount of property and professional practice were greatly less than at present, at £7,600,000 per annum; and two-thirds, probably, of this sum is absorbed by *legalists* resident in London.

However, this can be only considered a vague approximation. In our list of places we shall give an account of the emoluments and incomes of the chief justices, the lord chancellor, the judges, and several other well-known individuals; but the incomes of the profession generally, of counsellors, special pleaders, conveyancers, and attorneys, are so various, that it is impossible to fix on any average amount. The late Sir Samuel Romilly, it is credibly reported, netted £15,000 annually from his professional avocations. There are other counsel who, probably, make ten or twelve thousand a-year; others, a half, a third, a fourth, or twentieth part of that sum; and others, again, who make nothing. Sir James Scarlet has received as much as £400 for a single brief on the northern circuit.

In the incomes of attorneys are similar diversities. Some few, in London, make ten or eleven thousand pounds a-year; a great many more about three or four thousand pounds; and some obscure practitioners do not clear more than £100 a-year. Their clerks experience the same variety of fortune. Some are starving on a paltry £50; others living comfortably on £200; and others sumptuously on a £500 salary.

The emoluments and salaries of the masters, registrars, and clerks in Chancery, of the judges in the Admiralty; and ecclesiastical courts, and of the law-officers of the Crown, have been more than doubled since the com-

mencement of the revolutionary war. In 1792 the salary of the chief justice of King's Bench was £4,000; of the Common Pleas £3.500; of the chief baron of the Exchequer, £3,500; all these have been respectively augmented to £10,000, £8,000, and £7,000 per annum; and the salaries of the puisne judges and barons of the three supreme courts have been raised from £2,400 to £5,500 per annum each. All the judges have patronages—that of the chief justice very valuable, and of which we shall hereafter give some account; they have also some fees remaining, though the principal portion has been commuted.

It has been related of these exalted personages, that at the time sixteen journeymen boot-closers were committed to Newgate for a conspiracy to raise their wages, they were sitting in their chambers in Sergeant's Inn conspiring to raise their own salaries, in consequence of the rise of the *necessaries of life*. This anecdote reminds us of the fable of the Wolf and the Shepherd. A wolf, says Plutarch, happening to put his head into a hut, where some shepherds were regaling on a leg of mutton, exclaimed—*Ah! what a clamour you would have raised had you caught me at such a banquet!* The demeanour of the sages of the law would be something similar; they would declaim eloquently on the evils of conspiring when committed by workmen, though it might be done by themselves with impunity.

SECTION XXVII.

NUMBER OF THE LEGAL CLASSES, AND INCREASE IN LITIGATION.

An important fact connected with legalists is, the enormous increase in their numbers within the last ten years. In 1820 we were engaged in an inquiry similar to the present; and we find in the interval, the number of attor-

neys in the metropolis has augmented *fifty per cent.* There has, no doubt, been a corresponding increase in the country, and in other branches of the profession, and far exceeds the contemporary increase in property and population. It arises, we presume, from the increasing number and perplexities of the laws, which have rendered additional guides, commentators, expounders, and interpreters indespensable; or it may have arisen from the large fortunes suddenly amassed by dealers in the black art, which have tempted more than a fair proportion of the community to embark in so lucrative a calling. Whatever may be the cause, it is not creditable to our judicial administration, nor is it a flattering symptom of social happiness and improvement.

The increase of litigation and consequently, of profit to the profession, is demonstrated by the increase of business in the superior courts, as is shown by the following statement of the number of causes entered for trial:—

Years.	King's Bench.	Common Pleas.	Exchequer.
1823	1474	445	162
1824	1695	472	222
1825	2164	500	157
1826	3112	1021	245

The vast number of bankruptcies and insolvencies of late years must have tended enormously to the emolument of the legal profession, and have rendered them the richest class in the community. The number of persons who took the benefit of the Insolvent Act, in 1815, amounted to 2886; in 1820, they had increased to 4012; and in 1826, to 4681. The number of bankrupts in 1814, was 1612; in 1820, 1381; in 1826, 2582; in 1829, 1654. All these breakings up yield an abundant harvest of spoil to the gentlemen of the long robe. In most bankruptcies the solicitors, the bar, the commissioners, the accountants, and auctioneers, divide the assets. Very few estates pay anything worth a man's while going after.

Under the present bankrupt-law, a man has nothing to do but to get into credit to as large an amount as possible—buy goods in every place—turn merchant—ship off such goods to every quarter of the world—fly *kites* in every possible way—keep no books, or those so confusedly

that no man, called in by the name of an accountant, could make head or tail of them—carry this system of buying, and exporting, and kite-flying to its utmost extent—purchase goods on credit at any price, and for the greatest length of time—declare his insolvency—go into the Gazette; the solicitors, the bar, the commissioners, the accountants, and the auctioneers would set to work; the larger the amount of the man's debts so much the better for the legal, accounting, and auctioneering agents.

In such case, the professional men call it *a good fat bankruptcy;* and if they can get it into chancery, so much the better; and in general it is contrived that a *good fat bankruptcy* shall get into chancery. The result, in general, is—ten or twelve years' meetings of commissioners, actions, bills in chancery, and at length when the legalists have absorbed the state, they tire, and the creditors are told, "Here, gentlemen, are the accounts!"

Mr Montague has justly characterised a commission of bankruptcy "a tribunal in which the minimum of justice is administered at the maximum of expense" All the commissioners are either very old or very young men, whose only pretensions are the friendship of the chancellor, or the friendship of some friend of the chancellor, or others connected with the government. They are all either counsel or solicitors, whose sole object is to gain as much money in as little time as possible.

Some of them understand the art of accomplishing this so well, as to have been known to boast of pocketing thirty guineas a-day. These, however, are only ignoble quarry, compared with the great fee-gatherer himself. It appears from a parliamentary return last session, that the several sums sacked by the *purse-bearer* to the lord chancellor, in the year ending 30th April, 1830, amounted to £4081. In the same year, the sealing of 4861 writs, at 3*s.* 3*d.* each, produced £789, which was shared between his lordship, chaff-wax, sealer, and porter. From returns in the same year, the masters in chancery appear to net £4000 per annum, their chief clerk upwards of £1000, and the copying clerk £500 and more.

Mr Wellesley, in a book lately published by him on the court of chancery, states that the litigation into which he has been forced has cost him £20,000 in four years,

and a sum of equal amount has been paid out of the estates of his children. Mr Davies, the late tea-dealer, of Philpot-lane, was put to an expense of £32,000 by a chancery commission, appointed to ascertain whether he was in a *sound state of mind*. Sir E. Sugden stated, not long since, that the equity proceedings, under the will of Mr Thellusson, had been as productive to lawyers as many principalities to their sovereigns.

SECTION XXVIII.

INIQUITY OF THE DEBTOR-LAWS.

THE fraud, impoverishment, and desolation resulting from the administration of the Debtor-Laws are almost incredible. In the processes issued against the person, lawyers and attorneys are the parties who chiefly profit. From returns of affidavits of debts, it appears, in two years and a half, 70,000 persons were arrested in and about London, the law-expenses of which could not be less than *half a million*.

In the year 1827, in the metropolis and two adjoining counties, 23,515 warrants to arrest were granted, and 11,317 bailable processes executed. Thus were eleven thousand persons deprived of their liberty on the mere declarations of others, before any trial or proof that they owed a farthing! So gainful is the trade to attorneys, that they frequently buy up small bills for the purpose of suing the endorsers, and bring nine or ten actions on each. One house alone has brought five hundred actions in this way, and most of them for sums under £20.

The sum on which arrest is allowed, has been gradually augmented to £20; but this is too small, and the

consequence is, the prisons are crowded with debtors for the most paltry amounts. The number of persons committed to the five principal prisons of the metropolis, exclusive of crown debtors, and those imprisoned for contempt, averages 5000 per annum. Of these more than *one-third are for sums under* £20. In the years 1826-7, the Court of Requests for the city of London imprisoned 753 persons for various terms, from twenty to one hundred days, for sums under £5. In the same year, the Court of Requests for Southwark ordered 9758 executions, and 1893 persons were actually imprisoned for debts amounting only to £16,442.

The minor tribunals for facilitating the recovery of small debts we do not think entitled to the praise usually awarded them. They foment domestic animosities, promote law-suits, and encourage a trumpery system of credit, which is ultimately ruinous both to the retail tradesman and his customers. Neither are they so economical a source as is generally imagined; the costs of proceedings in them usually amounting to a tax of *twenty-five per cent.* payable either by creditor or debtor.

A debt can seldom be recovered in the Marshalsea or Palace Court for less than £8, even if no resistance is offered. In the several courts of request for the city of London, Middlesex, Westminster, and the Borough, the expenses of recovering a debt of 40s. or under, is at least 11s; above that sum, twice as much. Such a system can be no advantage to trade; it only tends to fill the coffers of attorneys and clerks of courts, by the ruin of the industrious classes. Only think of the fees received in the request court of Southwark, amounting, in one year, to £4255, of which £2475 arose from debts of 40s. or under. In four years, the fees received in the request court of the City, amounted to £7322.

Our legal institutions are chiefly beneficial to those under whose auspices their rules and modes of procedure have been framed and regulated. Hence the circuity and expense of law-suits. No prudent man ever thinks it for his interest to sue for a debt below £15; the costs in prosecuting for a small debt being equal to a large one, owing to the proceedings being the same, and the

pleadings as voluminous for the recovery of a few shillings as £100.

In the King's Bench, the expenses of recovering a debt under £5, even if no defence is made, and judgement goes by default, are not less than £15; if the defendant appear, and, as is not uncommonly the case, puts in a dilatory plea, they are increased to £20; and, by taking out a writ of error, they are still further augmented. The following receipt has been often given to debtors, who wish to be troublesome, and to weary out their creditors by an expensive process:—

When arrested and held to bail, and after being served with a declaration, you may plead the general issue, which puts you on for trial sooner than any other plea; but, if you wish to vex your plaintiff, and put him about, put in a special plea; if you are in custody, order your attorney to plead in person, this will cost you £1 : 1, and run your plaintiff to £30 expense.

If you do not intend to try the cause, you have no occasion to do any thing more till the plaintiff gets judgment against you, which he must do the term after you have put in a special plea. The plaintiff is obliged to send you a paper book, which you must return to his attorney with 7s. 6d., otherwise you will not put him to more than half the expense. When he proceeds and gets judgment against you, then order your attorney to search the Final Judgment Office in the Temple; when searched, and found they have got final judgment signed against you, then give plaintiff's attorney notice for him and your attorney to be present with the master at the time the plaintiff taxes the costs; at which time your attorney must have a writ of error with him to give to the plaintiff's attorney before the master, at the time the master taxes the costs; it will put the plaintiff to great expense, which he will have to pay, or go the ground over again. The writ of error will cost you £4 : 4 by a London attorney; but if you wish to be more troublesome, make the writ returnable in parliament, which will cost you £1 : 1 more, and your plaintiff £100.

If he has the courage to follow you further, you may then file a bill in Chancery or Exchequer; if he does not then give his answer, your bill will get an injunction

against him: you may then get an attachment from the court where your bill was filed, and take his body for contempt of court. The costs incurred by plaintiff and defendant, respectively, will then be as follows:—

Plaintiff's Costs.

	£	s.	d.
Answer to Special Plea	30	0	0
Ditto Writ of Error	100	0	0
Ditto Bill in Chancery	100	0	0
Ditto Bill in Exchequer	84	0	0
	£314	0	0

Defendant's Case.

	£	s.	d.
Special Plea	1	1	0
Paper Book	0	7	6
Writ of Error	4	4	0
Returnable in Parliament	1	1	0
To Bill in Chancery	12	0	0
To Bill in Exchequer	6	6	0
	£24	19	6

This is a fine exemplification of law, and shows how greater are the advantages offered to finesse and knavery than to integrity and plain dealing. Some restraints are laid on frivolous writs of error by 6 Geo. IV. c. 96, but in other respects the above outline is a substantially correct exposition of the legal resources available to the unprincipled debtor for harassing his creditor.

SECTION XXIX.

PROSPECTS OF LEGAL REFORM.

Britain is not less a law-ridden than a priest-ridden country; and we regret that Lord Brougham cannot devise plans of reform having a less tendency to increase the number and emolument of a profession already too predominant. It has been remarked by Mr. Bentham, that lawyers oppose improvement from the same motives workmen oppose the introduction of machinery,—they *are apprehensive it would lessen their employment.*

Undoubtedly it would have this effect; for the great object sought to be attained is to simplify and expedite

judicial proceedings, by which, unnecessary delay and expense may be avoided. It by no means follows, because there are laws, there should be a host of legalists to interpret them. The causes which render English laws difficult and unintelligible are obvious, and have been explained. It arises from their multiplicity, their contradictions, and the uncouth and nonsensical jargon in which they are expressed. All these are defects which would be speedily obviated by a government that represented the mind, the wants, and interests of the community. The Statute-Book, and the mass of decisions engrafted upon it, we verily believe, might be compressed into an octavo volume, and rendered so plain and readable as to form an appropriate class-book in every seminary of education in the kingdom.

Sad calamity this for the gentleman of the bar! Their occupation would be curtailed; their wigs and gowns cease to be venerable; and all their learned lore be as much out of date as the cocked hats and ruffles of the last generation. Can we wonder, therefore, at their hostility to improvement? They have a great stake—not in the country, but the law; and we may generally reckon upon them for our opponents; though it is rather too much that they should accuse (as some of them do) the reformers of being irrational and visionary, while their own mountebank profession is the reverse of both reason and common sense.

Between lawyers in this country and on the Continent, there is a marked difference: by the latter, law has long been treated as a rational science; by the former, it is considered nothing more than a mass of precedents, conundrums, forms, and technicalities—an art or mystery by dabbling in which men may soon become rich. A few splendid exceptions there are, no doubt, to this description; but this is the general character of the fraternity; their object is to gather fees, not study the principles of jurisprudence.

Hence it is not from the profession we anticipate a systematic and effective reform in our judicial administration;—though, if any unlearned person venture to suggest improvements, the whole craft is in arms, and ready to devour him. So far as the practice of the pro-

fession is concerned, lawyers are the fittest persons to expound it; but so far as regards any thing new,—a code, for instance, or a different mode of administering justice,—they are the last persons in the world who ought to be consulted. For our parts, we should as soon think of advising with the disciples of IGNATIUS LOYALA about the institutions of the order of Jesuits, as with lawyers on the subject of legal reform.

Yet it is to lawyers the great work of legal amendment is confided, and from them alone are the people to expect reform in our judicial system. Nothing but disappointment, we fear, will flow from this source. All the law-lords are opposed to reform of any sort, with the exception of Lords Lyndhurst and Plunket, and these, either from interests at stake and indolence, or personal disappointment, are not expected to lend efficient aid. Sir James Scarlett has suggested some minor improvements; but it is evident he views with no favourable eye, innovations on the great field of his triumphs.

Only think of this gentleman's defence of *special pleading*, the absurdities of which are enough to make a horse laugh; a drizzling maze of empyrical inventions, circuitous procedure, and unintelligible fiction, calculated for no purpose but to fortify monopoly, and wrap justice in deceit and mystery. With such obstacles and prejudices what can be anticipated but delay and evasion without end, and ultimate failure at last?

The Common-Law Commissioners are not expected to conclude their inquiries in less than three years, and the Commissioners of Inquiry on the Laws of Real Property, in less than twelve years. At the expiration of these periods what may be expected? The accumulation of innumerable volumes of reports, and the useful suggestions they contain, buried in as impenetrable a mass as the laws whose abuses they are meant to set forth; and, after all this expenditure of time, labour, and money, it is probable no measures of reform will be founded upon them. They will share the fate of the Chancery Report, made five years ago, of the volumes without number of Reports on Public Charities, on the state of Ireland, the state of the finances, the poor, and other national subjects, in which there is much research

and many useful suggestions, but they are never reduced to practice.

Next let us advert to the reformatory labours of the Secretary of State. The consolidation acts of Sir Robert Peel are, no doubt, improvements; but the progress of the Right Hon. Gentleman is much too dilatory, and his plan of proceeding deficient in comprehensiveness. The entire body of criminal law ought to have been taken up at once by a select body of individuals competent to the undertaking, and digested into a simple and uniform code, accessible and intelligible to the whole community. Granting, some thirty years hence, Sir Robert may have finished his task, still it appears to us the criminal laws will be in as great a state of obscurity, contradiction, and perplexity as at present. We shall cite an example from the Forgery Act of last session, to illustrate the working of this partial legislation.

In the twenty-third section of the act it is provided, that the punishments of the 5 Eliz. c. 14, so far as they have been adopted by *other acts*, shall be repealed, and other punishments substituted in lieu of them. Now, as these *other acts* remain on the statute-book, without reference to the 1 Will. IV. c. 66, by which they have been altered, how is it possible this fact should be known to any person who happens to refer to them? This appears to us a convincing proof of the perplexities which will pervade the criminal statutes, after the process of consolidation has been completed.

They will be a sealed book, as heretofore, to all but lawyers and judges: in short, the legislature appears to proceed on the principle that laws are framed for the benefit of the profession only, not for the people; but surely the penal code, which affects every member of society, ought to be constituted for a very different purpose. Again, how little is the advantage of consolidating the statutes, if the decisions engrafted upon them, and which are as valid a portion of the law as the statutes themselves, are not incorporated? It will be all labour in vain, and "confusion worse confounded!"

In our humble opinion a different course might be pursued with advantage in the great work of legal reform. In the first place, it appears to us inquiries are not so

much needed as remedies; abuses in our judicial system are not far to seek—they are obvious, and so are the means of reforming them. Why, then, not dispense with those voluminous reports and endless researches? A commission might have been appointed to consolidate and simplify the criminal law—another the civil law—another the law of property—and another the laws which regulate civil and criminal procedure, and each commission might not only have incorporated the statutes relative to the several departments of jurisprudence, but also the decisions of the judges founded upon them, and which have become part of the law of the land. When each commission had finished its task, their labours might have received the fiat of the legislature. It is only, we imagine, by some such measures the laws of England, Scotland, and Ireland, can ever be made worthy of the enlightened communities, for whose benefit they are intended.

But it is high time we conclude this article. When the first Common-Law Report was presented to the Duke of Wellington, his only remark is said to have been —"Too much of it,—too much of it,—a d——d deal too much of it." We fear a remark of the same tenor may escape some of our readers, owing to the prolixity of our lucubrations. But the importance of the subject must form our apology. The dearness and delay of justice are national grievances of long standing. It appears from *Whitlocke's Memorials*, Oliver Cromwell presented a petition to the Collective Wisdom of his day, praying that "a speedy consideration might be had of the great oppressions, by reason of the multiplicity of unnecessary laws, with their intricacies and delays, which tend to the profit of some particular men, but much to the expense and damage of the whole." The Lord Protector, later in life, triumphed over every difficulty; but the lawyers gave him most trouble, and he was constrained at last to acknowledge they were too many for him.

SECTION XXX.

BURGH REFORM.

THE people of Scotland have long groaned under the present odious system of Burgh Corruption, and this system owes its continuance and toleration, to the late system of Parliamentary delusion—delusion we call it, for if ever there was an institution of chicanery and imposition established in the country, it was one, and so long as it was unreformed, the advocates of Burgh Corruption knew their darling system was safe. Time, however, brings about marvellous changes; the "hydra-headed monster" has ceased to exist; and its *protege*, Burgh Corruption, is now left naked and defenceless before her many and determined foes, and will, ere long, follow in its wake.

The question of "What is Burgh Corruption?" is now too well known to admit of any lengthened exposition here; suffice it to say, that the total number of Burghs in Scotland are sixty-four, and these are again divided into fourteen sets, each of whom elects, or did lately elect, a Member of Parliament. In the election, each distinct burgh sent its delegate to the set with which it was classed, and when they had all assembled, they proceeded to complete the election.

But it is not so much the mode of electing their Members of Parliament that we object to, it is the mode of electing the respective members of the Councils; this is the real point in which the Scottish people are interested, and in which they expect, ere long, to behold a thorough and sweeping reform.

In each Council there are two parties, the "self-elected," and the "popularly elected." The self-elected are the Magistrates, the Dean of Guild, a few Councillors, and the Provost; and which individuals always outnumber those who are elected popularly. Again, those who are termed the popularly-elected, are those who are sent in by the Trades Incorporations, and they in general are men who are well educated, experienced, and

trust-worthy citizens, and who (except one or two who turn out to be renegades) make the public weal and interest the chief objects of their care and solicitude. It is not, therefore, those who are elected by the Incorporations that we would wish to see ejected out of the Councils, but those only who are obtruded on the public by their own creatures who may have preceded them.

In order to exemplify the system a little clearer, we will make an exposé of the constitution of the Council of Edinburgh, which may be well termed the focus, in which is condensed the defects and super-excellencies of the whole.*

The number of individuals in this Town Council are thirty-three, more than the half of whom are self-elected,

* The Edinburgh Council have all along been famed for *jobbing*. It is only about eight years ago that they seized upon the western portion of the North Loch, and let it to a gardener for a number of years, and defrauded, or rather swindled the public of Edinburgh of the use of it. They have now done the same with the eastmost portion, and that for the term of twenty-eight years. And for the use of their own grounds the public must pay One Guinea for the one, and nearly as much for the other. Now, we maintain, that this is passing the bounds of decency with a vengeance. The Council, and the gardeners acting under the illegal bargain made with that corrupt and public-pilfering body, have no more right to exclude the public, rich and poor, from entering these grounds, than they have to prevent them from walking the public streets. The gardens belong to the citizens of Edinburgh, and no arbitrary act of the Council can deprive them of their right to enjoy these grounds; they are the rightful owners, and the Council but the *factors* of the public, and nothing more. An act of Parliament may deprive the citizens of their right, but never an act of the Town Council. Therefore the brass-plates ought to be taken down, and the doors kept open from sun-rise to sun-set, that all may have free ingress and egress. There ought also to be public officers, four for the one, and two for the other, to take care the grounds are not abused. The profits of the nurseries are quite sufficient to remunerate the nurserymen, indeed they ought to pay a greater rent than what they do at present, which is a mere trifle in comparison of the real value of the grounds. This, however, is nothing, the public have a free right to walk in these gardens, without permission either from gardener or Councillor. The nurserymen's right to charge for admission, is a swindling agreement between them and the *aristocratical* Council, and is [illegible] paper, every farthing taken for admission into these grounds, must be accounted for to the first reformed Burgh Council, and the gardens made free to every one in the town, under certain restrictions to preserve the grounds from injury—there must be no monopoly.

in other words, they are not elected popularly, as the Deacons of the Incorporations are. Of those self-elected worthies, the principal is the Provost or chairman of the Council. Eight of them are Bailies, four of whom are new, and the other four old Bailies; the old Bailies of course help to elect the new ones at every election, and which, it is unnecessary to state, is always close. Another of them is called the Lord Dean of Guild; and then there is his predecessor, the old Dean of Guild. The Provost's predecessor is also among the number, and he is dubbed the Old Provost. Then comes the Treasurer and the Old Treasurer; and to complete the enumeration of this self-elected squad, comes the Merchants and Trades' Councillors, five in number, making a total of nineteen in all, and which completes the self-elected portion of the Council. The next portion of the Council are the Deacons, who amount to fourteen, making the total of self-elected and popular-elected thirty-three in all.

The above, then, being the composition of the Council of Edinburgh, it will be at once seen, that it is perfectly impossible for them ever to act in accordance with the public feeling. And that this has invariably been the case, the municipal history of the city bears incontrovertible testimony.

Contrast the manner in which the self-elected and the popular-elected acted in the election of 1831. Look at the manner in which the patronage of the town has been dispensed, both in the case of ministerial and official employments; and, lastly, look at the management of their financial affairs. The conclusion we must inevitably come to is, that if ever an institution required to be re-modelled, the Council of Edinburgh is one. The question then comes to be, what reform is necessary, not only in this case, but also in the case of the rest of the Rotten Burghs of Scotland, of which the Edinburgh Council is a fair sample?

In the first place, we would propose, that self-election should cease and determine, and that in place of it, each Burgh, throughout the whole of its extent, be divided into so many districts in proportion to the size of the place, and the number of the Councillors who formerly reigned in the Burgh. In Scotland, the Burgh

Council average from twelve to thirty-three persons. In small towns, therefore, twelve Councillors are quite sufficient, and in towns, such as Edinburgh and Glasgow, thirty-three or thirty-four are quite enough.

Still, to adduce Edinburgh as our pattern, it should be divided into nine districts, each district to return two Councillors, which will make eighteen Councillors in place of the nineteen which are self-elected. Again, the fourteen Incorporations to return the usual number of Deacons being fourteen, and which will make the number thirty-two, and all of them popularly elected. The last person to be elected is the Provost, and he should be chosen by the whole number of the citizens, and in the following manner:—During the election of the eighteen Councillors for the nine districts of the town, let there be in each polling place a distinct poll taken for the Provost, and which will give every burgess and citizen two votes for two of the candidates in his district, and one for the candidate for the Civic Chair, making in all three votes to every freeman.

Then, after the election of the Councillors are concluded, let all the votes which have been polled for the candidates for the Provostship be ascertained, and the candidate who has polled the greatest number of votes to be declared Provost.

With regard to the fourteen Incorporations, let their elections take place at the same time with the rest, but, as a matter of course, that there be no leets, neither long nor short, but with this *provision*, that those individuals who are Incorporation members have no vote for any of the other eighteen Councillors, but only for the Provost, and this only in the district in which they reside. Another provision in respect to the Incorporations ought to be, that the rate of admission into any Incorporated body should be One Hundred Shillings, and this to entitle the payee to all the municipal privileges of the body. And, in regard to the funds of some of the Incorporations being very valuable, let it be enacted, that in order to entitle the payee to the advantages resulting from the funds, that he should enter it as a distinct right altogether, the same as entering into a Friendly Society's sick fund and annuity fund, and in proportion

to the benefit derivable from it, let the equivalent or entry-money be.

The foregoing remarks are merely intended as hints of what Burgh Reform ought to be; and it is to be hoped that the forthcoming Burgh Reform Bill will probe to the root of the evil, and do away with self-election in every shape and form in which it may be found to exist.

Our reasons for continuing the Scottish Incorporations, are as follows:—*First*, That even in the most corrupt times they have ever been the advocates of freedom. *Second*, That they have always suffered at the hands of the self-elected crew, who, in every period of Scottish municipal history, made the most unjust and tyrannical encroachments upon the rights of the community, but were always withstood by the Trades Incorporations. *Third*, That it was only through the spirit of these public bodies that a kind of popular system of election has been preserved in the Burghs, and that if it had not been for them, every Council in Scotland would have been worse than the late system of select Vestries in the sister kingdom, and to which, even at present, they make such a close approximation. *Fourth*, It cannot be said to be the fault of the Scottish Incorporations that Parliamentary Reform was not gained at an earlier period; for they have repeatedly bestirred themselves, and that manfully too, in its support, and they were never more conspicuous than on the last great occasion, when all the Incorporations throughout the country joined in sending up petitions to the legislature in favour of Earl Grey's Reform Bill; and, *lastly*, let the people of Edinburgh, and Scotland in general, remember, that it was not the fault of their Incorporations that the Lord Advocate was not returned as Member of the city in 1831, for all the Deacons, except *one*, voted in favour of the popular candidate, and very nearly secured his return. These remembrances are merely thrown out here so as popular prejudice may not weigh evil against their common friends and supporters in this the time of their peril.

In the next place we beg leave to mention, in connexion with Burgh tyranny and corruption, that none have suffered more by it than the town of Leith has done, at the hands of the close Town Council of Edin-

burgh. We would propose, then, that Leith should have a Council to itself, independent of Edinburgh, and that the interference of the Council of Edinburgh in the affairs of the harbour should cease, on condition of Leith paying to the citizens of Edinburgh a certain sum, as value for the expenses laid out by the Council of Edinburgh, taking a share of the debt incurred by Edinburgh on account of the harbour, and this sum or share to be fixed by Parliament.

We will now allude to the audacious proposition lately made in the Council of Edinburgh, to obtain an act for selling the feus belonging to the city, or rather, we should say, the citizens. In regard to this, we maintain that it is nothing more than another scheme of this close and corrupt body to despoil the citizens and burgesses of their property; there are enough of ways and means to pay off the debt of the city without having recourse to this most fraudulent one, and we sincerely trust it will not be successful; for it is evident that the present squad of corruptionists intend by this measure to leave the Reformed Council and Citizens nothing but debts and incumbrances, as a legacy of the old corrupt system. We hope, however, that the inhabitants will watch the harpies whose eyes are intently fixed on the prey; for, let them once gain the act, legalising the sale of the feus, and there will be such a scene of jobbing and bribery which beggars all the powers of the pen to describe. The Council apparently wishes to make a genteel *finish* by this feu-rouping scheme of theirs, but we hope the inhabitants of Edinburgh will successfully baulk their nefarious intentions, and reserve to themselves, as a body, and for the joint benefit of the city, what the present self-elected cravens pant so intensely after. A slyer *trick* of financial duplicity could not be devised by Metternich himself.*

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* Nothing illustrates to greater advantage, the manner in which the City of Edinburgh's enormous debt has been contracted, than the lavish way in which the self-elected functionaries squander the funds placed at their disposal. Will it be believed [illegible] state, that it takes no less a sum than upwards of Five Thousand Pounds to pay the salaries of the Provost and other public officers, whose united services are not worth Four Hundred Pounds.

To conclude, we would hint, that as the paying Government taxes confers a right for voting for a Member of Parliament, the payment of Burgh taxes should also constitute the right to vote for the Burgh Council. This is Five Pounds in Edinburgh, but we suppose it varies in the lesser Burghs. Now, by investing the Five Pound Householders with the Burgh franchise, it will have the advantage of preparing them for the extension of the Parliamentary franchise, which we trust will take place ere long. We would humbly propose, also, that all who were Burgesses previous to the passing of the Burgh Reform Bill, should have votes, whether they pay a Five Pound rent or not, as also all Incorporation Freemen, but, as we have already hinted, with this *provision*, that they should not have a double vote,—that is, as Burgesses and Five Pound Householders. We hope, also, that the Burgh Bill will be plain and concise, relieved as much as possible of all repetitions and useless technicalities which serve only to confuse the reader. We would therefore advise the inhabitants of the Scottish Burghs, to look to themselves in this critical conjuncture,

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We understand that about Three Hundred Pounds cover the expenses of the Glasgow Town Council, and they can vie at any time in regard to real utility and public usefulness with our own spendthrift Council. These salaries must, however, be retrenched, and that too, with an unsparing hand immediately. It would almost appear that every snug office and situation connected with the Council by patronage, is paid in the same lavish way. How comes it to pass, we ask, that the Treasurer of a Charitable Institution (George Heriot's Hospital) receives such an enormous salary as Five Hundred Pounds per annum? Is Two Hundred Pounds not quite sufficient for such an object? We maintain it is, and that, were Three Hundred Pounds taken from the present exhorbitant salary, the person who at present fills the office would be compelled to do the duty himself in place of keeping two *clerks* to do it for him. We may also notice, that the individual who receives such a handsome salary for doing *nothing*, actually allots an *area* apartment, that is, a servant's drudgery room, for the transaction of the business of an institution paying him so liberally! Really this is too bad,—we say it is quite unjustifiable, but this must be looked after, and that shortly. He ought to reside in the Hospital, and the Three Hundred Pounds which would thus be saved, should be set aside in order to increase the number of boys from 160 to 200, as the house is quite large enough to hold 50 or 100 more.

on the successful termination of which, depends their municipal prosperity, and, in a still greater degree, their individual respectability.*

SECTION XXXI.

REFORM IN THE CHURCHES OF SCOTLAND AND ENGLAND.

THERE is not an object of greater importance, nor one in which the happiness of the peoole of Britain is more concerned, than in the paramount question of ecclesiastical reform; a question involving interests both spiritual and temporal, democratical and aristocratical, and one which will require the greatest attention of a reformed legislature to settle and adjust to the satisfaction of the British nation.

We do not intend here to enter into any argument in order to demonstrate the necessity of a sweeping reform, both in the churches of Scotland and England; for thanks to the political writers of the present day, that necessity is now put beyond the shadow of a doubt. The object then to which we shall direct your attention, is the extent of that reform which the legislature should institute in the now corrupted churches of Scotland and England.

To begin with the Church of Scotland, the first and

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* There are few places in Edinburgh which a stranger, on his arrival, desires more to see than the University Museum. Yet this most instructive sight is, from the exorbitant sum charged for admission, actually shut up from the public. This is another nefarious act of our *blessed* Town Council, this perfection of our odious Burgh system, but which ought not to be permitted a single day longer. In our opinion, no more ought to be charged than what will be sufficient to keep a person or two for showing the Museum, and we think the nominal sum of Sixpence quite enough for this purpose, and there is no fear but it will [illegible] a good situation for some poor fellow in want of employment. And by all means raise the Mineralogical Professor's salary, don't let this be a hindrance in the way of doing an act of justice to the community, we would rather want the worthy Professor's services altogether than submit to be imposed upon in this scandalous way.

most prominent abuse which should be rectified is the system of patronage. To attempt the description of this invention for the moulding of the Church of Scotland to the purposes of darkness and hypocrisy, would at this time be totally superfluous. We shall only mention that it owes its introduction in its present form to the temporising spirit of the clergy of 1688.* It is a system that was utterly abhorred and disowned by John Knox, and the institution of it was against this and other anti-christian errors, for which the great body of the Scottish martyrs laid down their lives. Patronage, then, is the most prominent error of the Church, be it either in its established or voluntary form, and from it flows the laziness of the clergy in the discharge of their duties; their notorious subserviency to the rulers of the state, so long as these rulers imitate them in pursuing a similar career of dereliction of duty; although it is too true that should the ru-

* Another defect attending the churches of Scotland and England, is the shocking laziness of the clergy. Most of them are in fact little better than drones and sinecurists; and the reason is obvious,—they are obtruded in almost every instance upon the people, and consequently they are quite independent, and care nothing for them. Nothing illustrates this better, than their practice of *reading* sermons in place of preaching them. It is a well known fact, that in all times, and in all places, preaching has been more beneficial to the church than reading; and that in every place where a revival in religion has taken place, it has been by the agency of preached sermons given under the direct impulse of the Holy Spirit. This unholy reading practice, therefore, should be abolished; for when or where did we ever here of a revival of religion caused by reading a sermon? Never; it is morally impossible that such an effect can take place, because it is a practice totally opposed to the working of the Holy Spirit upon the minds of men. It is a remarkable fact, that there was no reading of sermons before the introduction of patronage, and this introduction took place in 1688, from which period, we date the introduction of sermon reading, at least so far as regards the Church of Scotland. But when patronage gives up the *ghost*, which we know it will do ere long, we expect that this unholy practice will also cease to exist. There cannot be a doubt now resting on the minds of every unbiassed individual, that patronage has been productive of as much evil to the church of Christ, as Burgh corruption has been to the State. In short, the one is merely temporal boroughmongering, the other spiritual; and the latter is as ruinous in its effects to the church, as the former is to the State.

lers commence to reform the church's abuses, it is then, and then only that the government becomes in their holy estimation the enemies of the cross, the propagators of infidelity, and every thing that is bad in the vocabulary of priestcraft and clerical corruption. To say more about patronage would be quite supererogatory, and we pass on to the next inconsistency, and that is, owning the head of the state, as temporal head of the Church. Now, this is a doctrine for which our time-serving divines of the Church of Scotland have no authority from the sacred Word, and if they have it not from thence, where is it to be found? Surely none of them will have the satanic hardihood to maintain that they can find it in the false and antichristian supremacy of the state, or in its head? We hope not. The consequence is, that this long established assumption of despotic kings, (Henry VIII. and James VI. in particular) must be dispensed with, as there is not the least doubt existing now among all real evangelical men, respecting the antichristian nature of the unholy usurpation.* It is an usurpation which John Knox and his fellow-reformers would have died rather than have owned. It is an usurpation and error which caused the persecution of presbyterians in Scotland at the hands of the ignorant and the fanatical Episcopalians; and it is an usurpation which, so long as it exists, will essentially impair the usefulness and vigour of the Church of Scotland. These two, the one a constitutional, and the other a practical error, are the only two material inconsistencies in the "Auld Kirk"; and then from these flow all the wickedness that exists,

* In regard to the proverbial laziness of Established ministers, nothing can be brought to prove it in a more advantageous manner, than the conduct of the Presbytery of Edinburgh, mostly composed of all the council of Edinburgh's nominees, in regard to two of their brethren who have dared to step out of the rules laid down by these Edinburgh worthies, respecting the number of times for dispensing the Sacrament of the Lord's Supper. The Rev. Mr Grey, and the Rev. Mr Tait, seeing the necessity of dispensing the sacrament four times a-year, in place of two times, have been interdicted by this *indolent* Presbytery, but have been released from the interdict by the synod, who are not so religiously preposterous as this *Christian* body. Some of the members, however, to carry their ill-timed obstinacy to the last point, have appealed to the General Assembly. So much for clerical usefulness.

but let them be once removed, and the church of our native land will shine forth in all its primitive purity and usefulness, and will long remain the glory and the blessing of the country.*

In short, the reforms which we recommend for the Church of Scotland, is the abolition of both government and lay-patronage, and the right of electing the pastor of the congregation, to be vested in all the communicants, both old and young. Let there be no unjustifiable restrictions on this point; for if an individual is considered worthy of being a communicant, he should also be entitled to have a voice in the choosing of the pastor, who is to supply his spiritual wants. The idea of only investing the heads of families with the right of election, is patronage only modified, and will be productive of unchristian-like squables and dissensions in the church. The next point to be adjusted, is the independence of the Church of the State. If the king should be a member of the Church of Scotland, let him have the rights of a member, and nothing more. The power with which he is invested by the State, never can be used by him in the government of the church. The church is under the especial government of the Messiah, and that, too, both in a temporal and spiritual point of view. The attempt therefore of any individual, however exalted his station may be in the world, to arrogate to himself the especial prerogatives of the Lord Jesus Christ, must be unholy and Anti-Christian; and any church who tamely submits to this unholy usurpation, must be Anti-Christian, and that too, so long as it remains unreformed. This is the reforms in the Church

* No place in Scotland exhibits to more advantage the extreme corruption of the Scottish kirk, than the state of the church established in Edinburgh. The people here have to pay the clergy by compulsory assessment, while they are entirely excluded from the churches for which they have to pay. The ministers and the corrupt town council play into one anothers hands, and the result is, that the Establishment of the City is a mere farce, a perfect *congerie* of contradiction, approaching almost to profanity. This, however, we hope, will be rectified ere long, and both ministers and magistrates deprived of their ill-gotten gear. Their stipends, too, which is at present extravagantly high, must be reduced from £700 to £300, and even this is £50 too much.

of Scotland, and which, when obtained, will cause her to flourish like the bay-tree, ever green, and ever flourishing. *

In regard to the declensions of the English church, they are really worth the looking after. The two points, however, of the "Royal Headship" † and patronage, we have already discussed; but we may just mention, that they exist as much in the church of England, as they do in the sister church. The only errors and impositions we shall arraign, is the right of the church to have Representatives in the House of Peers, under the imposing *cognomen* of Spiritual Peers. Only think of Spiri-

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* In the Edinburgh Establishment, there are four churches, having two ministers for each of them, and these churches are the worst filled in the whole thirteen parishes of Edinburgh. Each of the ministers in these double charges receive upwards of £500 per annum. Each double charge consequently costs upwards of £1000 per annum, while, from the indolence of the incumbents, the church does not turn in £200 to pay. Such is a fair specimen of the needless waste and extravagant expenditure of the public money, and the effects of double charges!

In order to illustrate the way in which the people of Edinburgh are used in respect to the churches, we will mention, that the City is comprised within certain bounds, denominated the Royalty. Now it would be expected, that those who reside within the Royalty, and pay the ministers' stipends, should have a liberty of full access to hear these ministers, and have a preference in the taking of the seats. Not so, however. Suppose a person just within the Royalty, and paying five pounds of Annuity Tax, which is nothing unusual, he makes application, by *petition*, for a seat, and is refused, even although he has paid the tax. Another person residing in the next contiguous street, but *beyond* the Royalty, makes application for a seat, and is successful, even although he pay no Annuity Tax, and that through sheer partiality and favour of the council. And yet the ministers wink at these nefarious proceedings.

† It is a singular fact, that the title "Defender of the Faith," retained by our kings up to the present day, was first given by the Pope to Henry the Eighth, for his having written a book in *defence* of the Seven Sacraments of the Roman Catholic church.—*Baker's Reasons for leaving the Church.*

It is also a notorious fact, that the Pope seals his Anti-Christian character, by assuming to himself the prerogative of our Saviour. "The temporal Headship of the church," when the famous rupture took place between the Pope and Henry, was seized on by the king; and by this means he became head of the Church of England, and which, of course, causes it to be not a very distant relation of the Church of Rome.

tual Peers, and the system invented in the times of ignorance and superstition; namely, Archbishops, Bishops, Deans, Prebendaries, Rectors, Curates, and all the rest of the huge Anti-Christian superstructure, second only in enormity of wickedness to mystic Babylon itself. We would have the Lords Spiritual and Temporal, turned out root and branch from the House of Lords, never more to shew face there again; and as to Archbishops, Bishops, and all the rest of the Anti-Christian superstructure, we would abolish them,—at once reducing them all to the rank of Curates, (that is, Ministers,) the rank from whence they originally sprung, and give them all £300 a-year. We doubt the Archbishops, &c. will grumble confoundedly at this kind of Reform, but it will come to this in the long run, and that soon.

The reforms in the English church should be the following:—First, Total abolition of tithes; second, The expulsion of the bishops from the House of Peers.—Indeed we recommend the abolition of all artificial distinctions among clergymen. We suffer too many evils from the existence of the aristocratical distinctions among laymen, to tolerate any longer the anti-christian distinctions of the Reverend bench. Next, equalising the stipends to £300 a-year; making no allowance in favour of any one. Abolishing patronage, and the assumed headship of the king, as being fraught with a curse instead of a blessing to the church. Lastly, abolishing the church establishment of the church of England in Ireland, which has been the means of working out so much mischief in that unfortunate and ill-used country. These are the reforms we would recommend for both the churches, and these reforms, we have no doubt, when once obtained, will satisfy every reasonable thinking man; but for the attainment of which, we shall look neither to the Convocation of the English church, nor to the General Assembly of the Scottish kirk. These bodies are both in such a state of deplorable corruption, as is quite sufficient to call down upon them the vengeance of the Most High. But we look to the Reformed Parliament of the United Kingdom, as being the only means provided by an over-ruling Providence, for the accomplish-

ment of this righteous purpose; and we now call upon the oppressed inhabitants of England, Scotland, and Ireland, faithfully and fearlessly, to perform their duty.

We have now submitted to the reader's view, the plans of ecclesiastical reform, as suited to the respective Churches of England and Scotland;—and we trust, that when once these plans, or something similar to them, are carried into full effect, it will have the complete tendency to do away with an iniquitous Church Establishment in each of the kingdoms of England and Scotland; a consummation most devoutly to be wished for by all those professing evangelical christianity. Though we advocate church reform, we are very far from advocating those idolatrous and unscriptural systems invented by Satan for the overthrow of the true Church of Christ. There is not, and we will maintain it against all opposition, a single text in the whole New Testment on which the advocates of Church Establishments can found a scriptural authority.

They may say, if they choose, that the want of a text on which they could establish their right, is an oversight, and an omission on the part of the evangelists. But we answer, and that too, on no slight grounds either, that if it ever had been the intention of the Great Head of the church to have left his church to the care of worldly potentates, he would have left to the church ample instructions to that effect. But the Saviour left no such thing. On the contrary, he continually inculcates the all-important doctrine, that his church was to be dependant on him alone both for spiritual and temporal supplies, and which supplies he promised would be in proportion to the degree of faith and holiness practised in the church. But we proceed to discuss more particularly the relative merits and demerits of legal church establishments.

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* No legal Church Establishment can be the Church of Christ, and for this plain reason, that it cannot be persecuted. It is the distinguishing mark of the Church of Christ that its members are liable to persecution, while those ef Establishments are not, being upheld by the strong arm of the State.

A favourite argument in support of an Establishment church, used by Dr. Chalmers, is, that men have not an inherent appetite for religion as for food, but require to have it presented to them for acceptance; and to be strongly urged to listen to its truths before they will at all admit it to their consideration. The greater their destitution of moral, religious, and intellectual cultivation, it is said, the less is their desire to change their condition; and the more urgent is the necessity for an effective apparatus to carry religion home to their consciences by direct application.

An established body of divines furnishes instruments of moral aggression on these torbid minds. By constantly addressing them they create an appetite for improvement, and provide aliment for its gratification. Without an Established church, we are told, the country would soon become little better than a howling wilderness, in so far as religion is concerned. There are numerous fallacies in this argument.

We might cite the authority of Calvin in opposition to the description of human nature on which it is founded. "Since," says that theologian, "from the beginning of the world there never was any country, town, or family that could dispense with religion, does it not amount to a tacit confession of the whole human race, that the belief of a Divinity is engraved on the hearts of all reasonable creatures? Idolatry itself, into which men have fallen, is an authentic testimony to this truth. For we know with what reluctance man stoops and humbles himself to place other creatures above him.

"Since, then, he rather submits to serve and adore wood and stone, than to pass for an impious person or an atheist, it follows evidently, that the impression is lively and strong, that it can never be effaced, and that it would even be easier to extinguish the most natural affections than the sentiment of piety and religion."—*(Institutes, Book I. ch. 3.)*

In pointof fact, however, there is a *portion* of truth in Dr. Chalmers' argument. The most imperfect and ignorant of the human race have so feeble an appetite for moral and religious instruction, that they are not prompted to seek it spontaneously. They require to be ad-

dressed, invited to the feast, and pressed to partake of the viands. He omits to state, however, that there is a large proportion of every civilized community who have such a taste naturally, and who delight to gratify it. And he omits also to mention, that there is a farther portion of the people who possess a natural instinct of moral and religious hospitality, which prompts them to go to the highways, and enforce the starving wanderer, who is insensible of his inanition, to come to the banquet; and who *voluntarily* present him with food suited to his feeble powers of digestion, and increase the diet as his appetite acquires strength. It is manifestly erroneous to leave out of view the second and third of these classes, and to represent *all* mankind as belonging to the first.

The real question is, whether the amount of this natural hospitality is adequate to the feeding of the portion of the community, which is not prompted to make active exertions to find religious food for itself? Dr. Chalmers tacitly assumes that it is *not*; and that the *pay* of an Established church is indispensable to provide servants for the altar, in consequence of the lack of volunteers. The whole experience of mankind appears to us to contradict this assumption.

The inherent power of Christianity prompted its followers during the three first centuries, to teach and preach it in the face of obloquy, persecution, and death, without receiving pay in the form of legal stipends. Christianity, in its native influence, is not feebler now than it was then; and human nature ought to be *more* disposed to embrace it in our day, otherwise it has operated for 1800 years, without improving the natural disposition of men.

Again, the spirit of Christianity prompted the reformers in the sixteenth century, to preach a purer doctrine, not only without legal provision in money, but in opposition to the stipendiary clergy, who held fast by every error of doctrine and corruption in practice, and acted as if they had been paid to defend these, and not to maintain religion.

In our own day, the spirit of Christianity prompts vast bodies of dissenters, without compulsory emolument, to

preach the gospel in at least equal purity with the Established clergy. Nay, the salaried divines of Established churches are not the men who go most directly to the doors of the ignorant and torpid, and rouse them to attend to calls of religion; but this duty is largely performed by preachers overflowing with the instinctive love of holiness, animated only by the Bible and the spirit which it imparts, and who draw no pay from the state. Experience, indeed, shews that this inherent influence of the gospel upon the teacher, is the grand qualification for his success. The men whose leading motive in preaching has been the love of God and of man, have in all ages succeeded best in benefiting their species. Those who have become ministers from the love of pay or of power, have uniformly erected gross abuses on the basis of religion, and done unspeakable injury to mankind.

Experince, therefore, proves, that in every age in which access to the Bible has been generally permitted and enjoyed, a portion of the community has been so influenced by its precepts and its promises, as voluntarily to preach and teach these to the people, who have not failed to afford them pecuniary sustenance proportionate to the value of their labours. The preachers who at this day attract the largest congregations, are those who show themselves to be most deeply imbued with the spirit of Christianity; and it is this which constitutes their influence.

There are many such men in the Established church; but they owe their efficiency to Christianity itself, and to their own native qualities, and not to the law. They are independent of legal aid, and enjoy an inward consciousness of enduring stability, although to-morrow all compulsory assessment for the maintenance of religion were abolished. If the law could communicate talent, zeal, honesty, and knowledge, the argument in favour of a State-church would be irresistible; but it pretends to no such power: it merely holds out a bait or offer of reward in money and power, to induce men to enter into its precincts. The minds on whom these motives are calculated to operate most effectually, are the selfish and worldly;—men to whom the swelling impulses of a high

moral and religous nature are unknown, and who, in consequence, have no reliance on the inherent power of Christianity to maintain itself, and to provide a reward for its apostles.

These are the men who instinctively see that, in losing the support of the Civil Magistrate, they lose all; and who, therefore, proclaim loudly that the downfal of the Establishment will be the extinction of all religion. The law has the tendency to attract to the Established Church persons of this description, who will preach for money; but who would never have preached from any higher motive. Such divines do not draw the people to God; they draw only the people's money to themselves, and confer no adequate benefit in return.

Another argument frequently urged is, that if there were not an Established Church to fix discipline and doctrines, Christianity would become a mere mass of contradictory heresies. This notion implies, that in a civilized age, the human mind, left to the guidance of the Bible and the Holy Spirit, would fall into countless errors, which can be avoided only by calling in the wisdom of Parliament and the aid of General Assemblies. There is almost blasphemy in the proposition. It is a fundamental truth in Christianity, that the Bible and the human mind are so adapted to each other, that men of the simplest understanding may, under the divine blessing, discover, adopt, and adhere to the truth by the study of the sacred volume. If this were not the case, Christianity would not be fitted for universal nature.

The argument alluded to, therefore, proceeds on an assumption which is in direct contradiction to the nature of Christianity itself. Again, if it be the case, as the adherents of compulsory churches assert, that men in general, when left without the guidance of Acts of Assembly, and Articles of Faith ratified by Parliament, are extremely prone to fall into heresies, how are we to be assured that the doctrines consecrated by those acts and articles themselves are not heresies? The authors of them were men; and, compared with the existing generation, they were ignorant men. The divines in the age in which these articles were framed, believed in witchcraft, and burnt old women at the stake for holding con-

verse with the devil! They enjoyed no peculiar illumination from heaven. The sun of Christianity sheds as bright a lustre upon us as it did upon them. If we, therefore, under the guidance of scripture, and possessing a far more extensive acquaintance with nature, are incapable of avoiding heresies; they, who had no better guides, were equally liable to go astray.

Whatever is of God in their articles, stands by its inherent truth, independently of their enactments; and whatever is purely their own workmanship may be matched, if not surpassed, by the wisdom of the present generation. All that they have accomplished is, to compile certain articles, and declare them by human authority to be a form of sound words. Their mode of maintaining the ascendancy of their views, is by expelling from their body and depriving of pay all who question their infallibility.

But this exercise of power does not prevent differences of opinion from arising. Heresies abound at this moment; the church will be inundated by new doctrines, the more deeply the public mind shall become interested in the subject of religion. The only method of establishing a pure faith, is to encourage a free discussion, and to leave all opinions to stand or fall by their intrinsic merits. An Established Church offers a high premium for belief in its own doctrines, without the least regard to their accordance with reason or scripture; and it is as often the prop of error as the guardian of truth.

We shall also remark here, that not a single Church Establishment, from Constantine until the present time, has ever remained pure and unadulterated. All have gone astray, all have left the right path, not one of them has been blessed, no not one. The Church of Scotland is the only one that may be said to have retained any thing like primitive purity. But, ah! how woefully she, too, is changed; were her champion, John Knox, to appear once more upon the scene of his former labours, how he would launch out his anathemas and curses against the now prevailing corruptions of the Church of his native country, and against the unholy and idolatrous chain which binds it to the State. Those men who now preach up the necessity of State protec-

tion to the Church, would, through fear and consternation, sink into the holes and caves of the rocks before him; for well are they aware, even now, that their temporising, unscriptural, and time-serving creed, is based upon an unscriptural and unholy foundation. In conclusion, it is our decided opinion, that Church Reform and disunion with the State, must go hand in hand together; for no reform, however effective and sweeping it may be, will ever be blessed by the Great Invisible Head of the Church, without complete separation between the Church and State.

We shall now proceed to a subject, near a-kin to spiritual corruption, and that is, the fearful crime of Sabbath-breaking, which has been going on in all parts of the kingdom, and that, too, it appears, under the direct patronage of the Established Churches.

SECTION XXXII.

DESECRATION OF THE LORD'S DAY IN BRITAIN.

It has been argued as a grievous objection against reformers, that, however willing they are to reform state abuses, they are quite unwilling to reform abuses and corruptions in the religion of the country. Now we affirm, that if ever there was a falsehood uttered by corruptionists, this is one; and to retaliate, we ask, what has the "Lords Spiritual in Parliament assembled" done in order to remove church abuses and corruptions in religion? or what have they done who are the legalised guardians of religion, to put a stop to the almost general desecration of the Sabbath in England, Scotland, and Ireland? We answer they have done nothing; and yet, they are among those who

stigmatize us reformers as being affected with apathy in the cause of religious reform. What hypocrites these holy archbishops, and pious bishops, must be, in helping to propagate such lying slanders! Why, we tell them, as likewise all those who indulge in such vituperations, that we are as determined for religious reform as we are for political; and that not only will we contend for church reform, but will not stop short until the Sabbath of the Lord Jesus Christ is sanctified and made holy in every part of the British Dominions. There is just now going on throughout England, Scotland, and Ireland, as great a declension in the sanctification of the Lord's Day, as there is in the cause of religion; and unless this be stopped and put an end to, a fearful judgment from the Almighty will assuredly fall on the British nation. We proceed to present our readers with the following report, respecting this national sin in Scotland.

It appears from the evidence, that immediately after the Reformation, various laws, both of the Church and State, were framed for the purpose of securing the strict observance of the Sabbath-day. Offenders, besides incurring ecclesiastical censures, were liable to pecuniary penalties, varying according to their condition in life, and to the magnitude and aggravation of the transgressions. And it appears to be sufficiently established, that for a long period, the laws were very strictly administered; and that, in conjunction with the advancement of religious knowledge, the strict observance of the Sabbath proved the means of forming and cherishing those devout habits, to which have been traced the characteristic prudence, industry, and general correctness of morals long prevalent among that people. It is now, however, too well attested, that a very serious change for the worse has for a considerable time been in progress, particularly in all the most populous districts. Among the outrages against public decorum and private tranquillity, the following have been brought into view: Fishing, particularly salmon fishing; driving of sheep and cattle to markets; unnecessary travelling for amusement or business; several kinds of mechanical labour; superintendence of machinery in some manufactories; plying of steam-boats;

the operation of printing; the sale of provisions and other commodities in shops; and above all, the keeping open of public-houses, at which crowds of idle and disorderly persons assemble, not only wasting the wages of their labour, but committing many immoralities and breaches of the peace, most offensive and injurious to their neighbours, and ultimately destructive to themselves.

Much as these evils have been complained of, they do not seem in general to have proceeded to the same glaring excess as in England. Their progress, though described as having been of late fearfully rapid, has been in some measure checked by the influence of religious education and the force of good example. One of the most important circumstances which till lately distinguished the Sabbath in Scotland was, that the entire day was generally regarded as equally sacred. The distinction between "church hours" and the other hours of the day seems not to have been made, except perhaps in country towns and villages, where during the interval of public worship, or after the close of the service, refreshments might be obtained by persons coming from a distance to the church. The old laws of Scotland therefore apply to the whole of the Sabbath, though it was held to be an aggravation of any offence, that it was committed during the hours of public worship. If the prohibition of drinking in taverns be limited to the hours of Divine Service, the good which can be thus expected to be done must be very limited; for the most numerous excesses appear, from the evidence, to occur most frequently between Saturday night and the next morning, and again, on the evening of the Sabbath. The wording of the new Act for regulating Licences in Scotland (9 Geo. 4. c. 58.) seems to have given rise to an impression that public-houses may legally be kept open at all hours of the Sabbath, except those of Divine Service. But in fact this Act left all former Statutes as it found them, with this innovation only, that it imposed an additional penalty for keeping public-houses open during "church hours." The introduction of this new phraseology, however, has greatly embarassed magistrates in the discharge of their duty, and thereby led them to overlook many disorders.

It has appeared from the evidence that great mis-

chief has arisen from the indiscriminate readiness of magistrates in many cases to grant licences for the Sale of exciseable liquors, the consequence of which has been, that, in most parishes, opportunities and temptations to indulge in drinking are presented at almost every twentieth door, and in some even more frequently. This very circumstance adds greatly to the difficulty of exercising a vigilant inspection over the excesses which occur. It appears also to be a source of much inconvenience, that in Scotland a person cannot follow the business of a grocer without having a spirit licence, many of the most irregular tippling-houses being also grocers' shops. Among the evils most complained of, is the insufficient accommodation in churches provided for the inhabitants in many places, and the accompanying impracticability of exercising a beneficial superintendence over the morals of the overgrown population. In large cities and towns, like Edinburgh, Glasgow, Aberdeen, Dundee, Paisley, and Greenock, parishes contain often from 7000 to 70,000 or 80,000 inhabitants, with seldom more than one incumbent. Hence, even when accommodation is, to a considerable extent, provided in Chapels and Meeting-houses of various denominations, a great many of the people, belonging to no congregation, are not practically subject to any efficient control or inspection; and thus many sources of disorder are suffered, without interruption, to extend their influence. An evil of not inferior magnitude has been alleged to spring from an inadequate provision made in such populous places for the education of the lower orders.

As the penalties attached to several of the Scottish Statutes have, in process of time, become insignificant, it has been represented by one of the witnesses that it would be of importance to make them conformable to the present value of money. Another witness suggests that for correcting disorders in taverns, much greater efficacy might be expected from the forfeiture of licence than from pecuniary fines. A revision of the Act 9 Geo. 4, c. 58, for the purpose of extending the penalty to the whole day, has been strongly urged, as well as a revision of the Act for lowering the duty on spirits.

Your Committee, on a full consideration of the evi-

dence relating to Scotland, are firmly convinced that there, likewise, the most zealous efforts of the Ecclesiastical Authorities and of Religious Associations must be comparatively inefficacious, unless they be supported by the civil authority, and it must surely be the duty of Parliament to consider seriously, what means are most likely to prove efficient in arresting the progress of that fatal habit which has of late years been rapidly multiplying the sources of poverty, disease, and crime, thus deteriorating and degrading the character of the population, aggravating, in many parts of the country, the evils of an oppressive poor's rate, and weakening the resources of the empire.

It will be seen strongly stated in evidence, that innumerable unhappy individuals, who have forfeited their lives to the offended laws of their country, have confessed that their career in vice commenced with Sabbath-breaking and neglect of religious ordinances.

Your Committee are of opinion that the amendment of the law which they have ventured to recommend, is not only of itself a proper and necessary measure, but moreover that the moral influence over all classes of men, which will be produced by the very fact of the attention of the legislature being directed to this subject, will in itself be very considerable. Nor can it be reasonably doubted, that, by means of such amendments, a considerable attention would be given to the temporal comforts of individuals, more especially of those in the middle classes of society. Indeed, in the words of one of the witnesses examined by your Committee (confirmed by the testimony of many others), the tradesmen themselves who now exercise their callings on the Lord's-day, would consider a more strict law for the observance of that day, not as a restraint, but "as a blessing." Your Committee feel assured that an increase of true religion must also follow, inasmuch as many persons, thus favoured with an entire day of rest, would be led to employ it for religious purposes; and that a great accession would accrue to the strength and prosperity of the State itself, arising out of the improved tone of morals which a due observance of the Sabbath-day invariably produces. And there are, moreover, abundant grounds, both in the word

of God, and in the history of past ages, to expect that His blessing and favour would accompany such an endeavour to promote the honour due to His Holy Name and command.

SECTION XXXIII.

NEGRO SLAVERY, AND AN INQUIRY INTO THE PROPRIETY OF IMMEDIATE EMANCIPATION.

AMONG the many national questions to which the people of this country look forward to with an interest almost intense, is that of the final settlement of Colonial Negro Slavery, and to the measures which a Reformed Parliament will legislate respecting it.

Previous, however, to considering the relative merits of this philanthrophic and interesting subject, we will state, that Negro Slavery has been abolished in this country for a great number of years; but that it still exists in our colonies, and consequently in the dominions belonging to Great Britain. The advocates for the continuance of Negro Slavery maintain, that this country has nothing to do with the affair at all; but this is as absurd as it is false: so long as the slave colonies claim or require the protection of this country, they must be subject to all the enactments emanating from its Parliament.

All objections, therefore, on the part of the wood-be independent colonies, with regard to their right of submission to the laws of the mother country being set aside, as unconstitutional and impolitic, we proceed to lay before our readers an inquiry into this interesting question. This inquiry is based upon the principles of the celebrated and useful science of phrenology, in which is discussed the capacity of the enslaved Negro for free-

dom; as also the grounds for expecting that after the preparatory interval which we will by and by propose, the negro will resort to free labour for his own support, and harmonize with the new order of colonial society.

The enemies of emancipation commit the common error in logic of proving too much on this point. The Negro is an inferior being, they say, whose freedom would be a compound of sloth, anarchy, and plunder; he would be alternately a sluggard and a wild beast, till the white population were driven out or exterminated, and each colony presented another St. Domingo. If the Negro were an inferior being to the degree maintained, it is as absurd to say that he could drive out the white colonists, as it would be to allege that the horses or dogs could do so. If there is power and intelligence to combine and overcome, there is power and intelligence to resort to free labour, a sufficient motive being presented. Now, we know phrenologically, from our opportunities of observing the Negro brain, that although the average Negro capacity, intellectual and moral, is inferior to the average white,—for Negro heads often rise equal, and occasionally superior to the average white endowment, —there is not that degree of inferiority in the mass of the Negro population of the colonies as to incapacitate for free labour. But perhaps the incapacity meant by the slavery advocates, is only the moral incapacity of unwillingness; in other words, that no motive but the lash will induce a slave to labour. Now, even labour under terror of the lash, is so far voluntary that it is designed and intelligent. The Negro *does* work intelligently, for all the sugar produced is the fruit of his intelligent labour. The horse or the dog could not have produced it. The question is, has the Negro faculties which can be excited sufficiently by other means than the lash, to furnish him with motive, for at least as much intelligent labour as he bestows under the lash, if not for a great deal more? To begin with the lowest impulse, hunger is an irresistible motive to the Negro to exert all the powers he possesses. The necessaries of life, food, clothing, and lodging, if the municipal arrangements are such as to cut off all hope of obtaining them by any other means, must be laboured for, labour to the

most slothful being the lesser evil. To rise a step in the scale of motives, the Negro is notoriously Acquisitive, and loves accumulation. In thirteen Negro skulls and casts of heads in the museum of the Phrenological Society at Edinburgh, there is scarcely an exception in this developement. Those who have observed the slaves in the plantations, know well the eagerness with which they covet and receive money, and the value they put upon the smallest sums; and have borne witness to the zeal—the voluntary over-work of every individual of a gang, when a liberal proprietor occasionally proposes prizes for the best and most work, on occasions when despatch is of importance. The change of character is like the effect of magic; a listless, sullen, inefficient working party become instantly active, hard working, and joyous, and finish their piece-work with the mirth and song of our hay-makers or harvest-reapers. The Negro has other faculties to which to appeal. In all the heads in the Museum, love of approbation is largely developed: and it is well known that the vanity of the Negro, even in his degradation, is manifested to a ludicrous degree: he loves distinction and praise, and is fond of dress and finery, which he will make great exertions to obtain. What a fund of motive in this one faculty! Benevolence is well marked in most of the specimens, the faculty which moves to exertion in return for kindness; and a combination of this feeling with veneration—large in them all—for intellectual and moral superiority in the whites, and no excess of combativeness and destructiveness, with very large cautiousness, seems to afford a reasonable guarantee against all violence and vengeance, which is not elicited by ill usage and tyranny.

One defect the Negro shares with all barbarous tribes of the human species, namely, an under endowment of conscientiousness. In different degrees of deficiency we have noticed this development, we may say in all the Negro heads which have come under our observation. But, as practical phrenologists, we wish we could say, that a much better endowment of this valuable moral faculty were universal among Europeans; we wish we could find it in France,—in Ireland,—nay, within the boundaries of Great Britian! Yet it has not been found

that, with a rather prevalent deficiency in this particular in the great mass of our own population, there is any want of free labourers in this country. The Celtic head, especially as exhibited in Ireland, is perhaps the most deficient in Europe in the faculty in question; yet our farmers know that more willing or better labourers do not enter their harvest fields than the Irish reapers. This argument against the Negroes, by the way, we would advise their present proprietors to avoid, seeing that the current irony of "the morality of the Antilles," is certainly not applied to the black population.

The general size of the Negro head is greater than that of the Hindoo or Brazil Indian; and although there is a considerable preponderance of animalism, there is moral and intellectual endowment enough to direct that very animalism to active and efficient manual labour, above which sphere of usefulness we grant that the majority of Negroes are not at present fitted to rise. In community with whites, they must continue long to be the inferior and labouring class; for there is an aristocracy of Nature's establishing in favour of the whites, not of mere colour, but of superior brain.

In some Negroes we have seen the knowing faculties with constructiveness so large as to have promised something above mere labour, a considerable degree of mechanical skill. We have been assured by persons familiar with the colonies, that expert artificers are to be found in many of the Negroes; and we have just heard from a gentleman from Caraccas, that the emancipation of their slaves by the Columbians, while it has furnished an ample supply of free labourers, has produced a great number of clever workmen and mechanics. We have heard from many persons who have known the slaves in the West Indies, the Cape, and the Mauritius, that they have seen much ability and skill among them. In most of the specimens in the Edinburgh Museum, the organ of Individuality is large, as also are Size, Weight, and Constructiveness. It is quite unnecessary for our purpose to ascend so high as the talented Ignatius Sancho, the Negro friend of Garrick and Sterne, for such instances are beyond our object, which is to establish Negro capacity for free manual labour; but such instances, it must

be remembered, could not occur in a race of beings decidedly inferior to the white in kind as well as in degree.

To the natural capacity of the Negroes, we are to add, on our plan, four or five years of preparatory education. This will produce its most marked effects on the young, who will be men when emancipated. Infant education would tell, in the next generation, on the colonial Negroes; and Mr Wilderspin once offered to devote himself to its introduction. We may also estimate the intermediate gradual adaptation of their system to the inevitable event of simultaneous Negro freedom, which the proprietors will be forced for their own interest to adopt, by trials of free labour,—a fair subject of a bounty,—and other changes of plantation economy.

So far the argument *a priori*, drawn from the Negro capacities, and the nature of things. But there are facts enough to settle the question. Negroes enlist with alacrity and pride into the West India regiments, and make good soldiers. We find them on board of ship, where very generally the cook is a Negro, and a cook's functions require considerable intelligence and skill. We see them every day in England and Scotland in the capacity of domestic servants, at no reduction of wages If these are picked Negroes, we may at least infer that those that are left, possess character enough to perform agricultural labour for wages. Mr Jeremie adduces a very interesting instance of Negro intelligence and social character. In 1830 about a hundred slaves escaped from Martinique and took refuge in St Lucia, where they became free under Dr Lushington's Act. These men fled from a system of unmitigated slavery, like that which prevailed in our own colonies thirty years ago: they were of course, according to colonial reasoning, the worst fitted for free labour or social co-operation. Accordingly they were advertised by the authorities of Martinique as "incendiaries, idlers, and poisoners." Nevertheless, of these some hired themselves for wages, as masons, carpenters, or domestic servants; while about twenty-six united together, erected a pottery, divided the labour most judiciously, and introduced a new manufacture into the colony.

Our phrenological inference, from the known working

of the faculties of man in given circumstances, that the slaves *must* be maltreated, receives confirmation from certain intrinsic *indications*, which, however, we have only room to glance at. For example, the notoriously fraudulent legislation of the colonial assemblies, most instructively exposed by Mr Jeremie, the design of which is to hood-wink the Parliament and people of Britain; the systematic concealment of the doings in the plantations; exclusive of the evidence of the slaves *against* the whites, and that every where, with the honourable exception of Tobago and Grenada; jealous of the eyes of strangers; resistance to the inspections, *without notice*, of protecting officers; and, above all, the most ferocious vengeance, by universal colonial consent, directed against the teachers of religion, who dare to enter the Negro's hovel to learn his oppressions, console him in his afflictions, and invite him to their chapels that he might be enlightened and humanized. Nothing has tended to stagger the most slow of belief in the degraded state of colonial society, than the composition of the *white mobs* of the West Indies, for the legal purpose of burning the chapels, and tarring and feathering, beating and bruising, the persons of the missionaries. In addition to the direct agency of clerks, overseers, and drivers, there is the superintendence and direction of Magistrates,—the very men who the hour before have been condemning and hanging the Negroes, for greatly more justifiable burnings and violence.*

The difficult question of compensation to the planters for the emancipation of the slaves, is one of political economy more than of phrenology, unless in the most extended sense of the latter. We shall therefore pass it over with merely expressing our belief, that, if the planter's loss is calculated upon a trial of time under a new and better system of free labour, his ultimate loss, if, as is not generally admitted, it shall fall on the country, will

* Mr Knibb, one of the persecuted missionaries of Jamaica, has within these few weeks produced a considerable sensation in Edinburgh, by a speech of much impressiveness delivered by him at a public meeting. He averred, and challenged the whole of Jamaica to prove the contrary, that the Negro members of the missionary congregations did not join in the insurrection, but defended their master's property.

be a debt more easily discharged than the planters imagine. For one item of his loss the slave-holder can claim no compensation; namely, the difference under a system of mitigation, between the returns of excessive and of moderate labour, and between the cost of poor food, labour, and lodging, and of these necessaries of life adequately supplied. This is the slave-holder's own account, not the country's. He cannot claim indemnifications for having what it was absolutely wrong to gain; of which wrong the very compensation he claims would be the measure. Besides, inasmuch as the slave-holder boasts that all is, and has always been right on this head, he is committed, and must make good his engagement, and redeem his own pledge, without being paid for doing so.

The branch of this great question which treats of the time and mode of the annihilation of colonial slavery,—that annihilation being at the same time certain,—we must also pass by with a few words. This inquiry is full of difficulty, and we venture an opinion upon it with due diffidence. *First*, We should dread immediate simultaneous emancipation of 800,000 Negroes, as dissolving the whole fabric of colonial society, driving the whites from the country, leaving the Negro population, who are habituated to pupillage, utterly unfit to provide for themselves, and liable, from the mere impulses of their animal nature in extreme privation, to resort to mutual extermination. The argument has never weighed with us that we have no right to continue the slave's fetters one hour. Abstractly we have not. Abstractly I have no right to hold a person fast against his will, although he would sink in the sea and be drowned if I should quit him. But when, in addition, I have myself unjustly and violently brought him into this dangerous position, I am not only entitled but bound to hold him fast, in spite of his right to instant freedom, till I replace him on the safe footing from which I at first took him, and then and there I may set him free. Farther, we dread the effects of the partial manumission, of what is called the gradual system of emancipation. Slavery and free labour cannot efficiently co-exist. The planters would cling to slave-labour to the last, and discourage the emancipated

Negroes, who would lapse into idleness, listlessness, and vagabondism; while the Negroes not yet emancipated would every day become more impatient of their bonds, and more valueless as labourers. There would neither be free-labour nor slave-labour. In respect to the earlier emancipated, there could be no previous preparation for freedom, and there would be none in respect to the latter. What we should suggest would be what we may call *postponed simultaneous* emancipation. That is, that the legislature should forthwith, by one act, abolish slavery prospectively, to take effect with regard to the whole slave population in the colonies on a day certain at the end of a certain number of years, three, five, or seven. The same act then to proceed to a well arranged system of mitigatory ameliorating enactments, which would render the interim condition of the slave comfortable, and insure his improvement, and preparation for freedom. Mr Jeremie suggests a repeal of all the laws touching colonial slavery, and the substitution of one statute for its future regulation. The author of an able article in the Edinburgh Review, No. 109, protests against such a statute, as legalising slavery. We join in this feeling most cordially; but we should think our suggested *abolition* with a postponed operation, is at least an escape from the reproach of the positive sanction of slavery, still more of the institution of it. The grand positive act of our statute would be abolition, while all its subordinate enactments would be direct provisions for the Negro's benefit and well-being, till the appointed day of his complete deliverance.

We proceed now to close these observations by detailing a few more interesting facts, respecting the aptitude and capacity of the Negroes for freedom.—At the Cape of Good Hope, slaves, called Prize Negroes, are occasionally emancipated at the public expense. The South African Advertiser, of 9th February 1831, says, "We speak advisedly, three thousand prize Negroes have received their freedom, four hundred in one day, but not the least difficulty or disorder occurred. Servants found masters, masters hired servants, all gained homes, and at night scarcely an idler was to be seen."

In a former paper we gave some account of the co-

lony of free Negroes from America on the coast of Africa, called Liberia; a community that has conquered, not territory, but peace, and are living in a state of practical morality and religion, which more self-satisfied societies would be considerably improved by imitating. By recent accounts from the colony, it appears that no less than twenty-five thousand natives of the neighbouring tribes, including some kings, have become citizens of this new commonwealth.

Our informant from Caraccas assures us, that freed Negroes in his country make willing and efficient free labourers, and many of them skilful artizans. When, in 1821, the republicans of Columbia promulgated their own freedom, they avoided the immorality as well as the solecism of forgetting their slaves. Immediate emancipation they did not consider safe, but a process of gradual emancipation was instantly commenced, to be dated from their own deliverance. All children born since 1821 have had a prospective freedom vested in them, to be complete at a fixed period when they are capable of free labour, till which period they are maintained by, and are subject to the modified authority of, the proprietor of the mother. This is another form of the certain but postponed freedom which we humbly advocate. There is also the interim mitigation. In the State of Venezuela, a fund created from a succession-tax, holding a proportion, like our own, to the degree of relationship, is entirely devoted to purchasing the freedom of the more deserving slaves. To this is added the entire estates of persons dying without heirs. Cruelty, established before competent tribunals, is punished by the judicial manumission of the slave without ransom. "The laws of the state," says our able and intelligent informant, "as well as the general feeling of the community, are *favourable* to the people of colour, and especially to those who are slaves; and the operation of these causes has produced the best effects on the coloured population, who have shewn themselves worthy of the kindness and consideration they have received, by the manner in which they have devoted themselves to industrious occupations. They have much aptitude for the mechanical arts, in which they excel, and many instances might be

adduced, where they have evinced attainments of a superior order, and have been able to take their place on important occasions, along with the most able and intelligent of their countrymen. In 1830, the number of slaves in the republic of Venezuela did not exceed 28,000 persons, which forms a small portion of the number existing in that country before the commencement of the revolution. The measures of abolition already alluded to, are still in active operation, and it is confidently anticipated, that in the course of ten or fifteen years hence, there will be no slaves in Venezuela.

When from this we turn our eyes back again to our own West India islands, some of them almost within sight of Venezuela, our sense of humiliation is absolutely oppressive. There the laws and the feelings are all *unfavourable* to the coloured population, which of course is debased and unworthy, and *therefore* considered incapable of improvement. But when we look at the sensible and humane legislation of Venezuela, and contrast it with the mock law-making, and worse law-executing of Jamaica; with the mobbings, the burnings and demolitions enacted personally by members of Assembly, magistrates, reverend Rectors, and militia officers; the ferocious persecutions, prosecutions and subornations of perjury, we are forced to the conclusion, that the crisis is come, and that slavery must be removed from our colonies, not only for the credit of the British name, but as indispensable to the civilization of the white population themselves, which, relatively to what it ought to be, is at a lower point of the scale than that of the slaves, with whom they scarcely deign to acknowledge a common nature.

SECTION XXXIV.

NEW PLAN OF NATIONAL EDUCATION, AND SCHEME FOR IMPROVING THE CONDITION OF PAROCHIAL SCHOOLMASTERS.

"It is by no means creditable to the age we live in, and the paternal character of our government, that labour of so high a description as that ought to be which is devoted to the right training of the great body of the people, should be worse paid than the most menial offices,—worse even, in many instances, than the toil of the hard handed peasant, who drives the plough, or breaks stones on the highway."—*Professor Pillans' Principles of Elementary Teaching.*

THERE is no class of men equally limited in numbers, upon whom the well-being of society so much depends as the Schoolmasters. Chamfort uttered a melancholy truth, when he called the poor "the negroes of Europe," for the uneducated man is essentially a barbarian; and four-fifths of the labouring classes of Europe either receive no instruction at all, or have their minds darkened by errors and prejudices which are often worse than ignorance itself. Our boasted civilization rests on a narrow basis which robs it of half its strength. The field of knowledge, such as it exists, is thrown open to a small fraction of the people, perhaps a fiftieth part; these ascend to the top by skill or cunning, and direct the movements of the social machine—according to the suggestions of their private interest. They have their double doctrine like the priests of the Ancient Mysteries; a code of maxims on which they act, and a set of opinions extremely diverse which they promulgate. Craft and terror are the main instruments of their sway. They gain the support of the rich through their vanity and avarice, and rule the ignorant mass by working on their fears and superstition. We have the most perfect type of this system in Russia, where a few instructed men govern a race of barbarians, whom, for selfish reasons,

they are in no haste to draw out of their barbarism. Austria, Naples, and Spain, present specimens of the same plan of government, and its principles are largely in operation in France, Prussia, and England. It may be safely said, that in these countries generally, nine-tenths of the talent and energy existing in the people is buried under their ignorance, and lost to themselves and the world; and hence, the poverty, the filth, the torpor, the coarse intemperance, the monstrous prejudices seen among the mass of the poorer classes, which almost levels them with the animals, and encourages their rulers to treat them as such. Statesmen very naturally concluded, that those who are inaccessible to reason must be ruled by force, and terror became their grand principle of legislation. Hence, a country studded with jails, criminals counted by thousands, frequent bloody and appaling punishments, and a code of laws which seem made for cannibals! Politicians have been slow to discover that three-fourths of the crimes which trouble society are the consequence of ignorance, or of the poverty and misfortunes which spring from it,—and that *what a State saves on schools, it must expend threefold on jails and bridewells.* Happily this truth has at length forced its way into the palaces of Kings, and the halls of Senates. The schoolmaster is not only abroad, but his title to be abroad is recognised; and those who once dreaded his footsteps, begin to welcome his presence.

Much is yet wanting, however, to dispel the dark cloud of ignorance which hangs over society, and great difficulties beset every plan of imparting effectual education to the people. First, the difference betwixt teaching, and teaching well, is great. Till schoolmasters undergo a regular course of training to fit them for their duties, the business of teaching must be lamely conducted; and we cannot look for much amendment till the emoluments of a teacher are such as to tempt a man of talent to devote himself to the profession, and to remunerate him for long and expensive preparatory studies. A good teacher would require an education as costly as that of a clergyman, while his functions are more important, and his labour six times greater; and yet we

pay the one with fifty, and the other with two hundred pounds!

Considering the scale of our financial operations, it would be easy for Government to pay every teacher handsomely, and no money could be better expended, if the object in view were attained. But the grand difficulty has always been to provide adequate emoluments for the teacher, without impairing his motives to exertion. His pay necessarily consists of two parts, of fees which depend upon his diligence, and of salary which is independent of it. We have before us the voluminous Parliamentary Report on the Parochial Education of Scotland, printed in 1826, and taking nine country parishes in Mid-Lothian, we find that the average sum drawn in fees by the parochial teachers is just £25. Now, assuming that £100 would be a decent provision for a schoolmaster, in order to raise his emoluments to this sum we must make the fixed salary £80; but what man, who had eighty pounds fixed and secure, would submit to the irksome drudgery of teaching to gain twenty more? The school would be ostensibly kept, but really neglected: there would be as much of the form of teaching as would prevent the success of a process of ejection, but nothing more; the children would be transferred to private schools, except a few bribed to stay by flattery or service to the parents, while the teacher would eke out his income by surveying land, keeping accounts for tradesmen, collecting rates and rents, and being factotum for some of the neighbouring heritors. The more government did for the teacher's comfort in this way, the greater would be the temptation to neglect his duty; the situation would degenerate into sinecures like masterships of the charity schools in England, where a churchman is often to be met with drawing four or five hundred a year on some old foundation, for 'keeping a school," which school is attended by one scholar or two! Duty of every kind is best done, when a person's means of living depend entirely on his diligence. If the fees alone would support a teacher respectably, all fixed salaries should be abolished; and our system of parochial tuition would then rise to perfection. But the poverty of our working classes puts this completely out of the question. The fees which are now about 2s. 6d.

per quarter, on an average, would need, in this case, to be quadrupled, and the schooling of three children would then absorb one-third of a labouring man's income. The poor can, in fact, ill afford what they at present pay, and if the fees could be diminished one-half, the inducements to keep the children a proper time at school, would be greatly strengthened.

Is it impossible then to improve the quality of education, (for this is the object of raising the status of teachers), and to reduce the expense at the same time? We hope not. We think these objects may be reconciled, and both the teachers and the taught benefited, by very simple and obvious means. A large fixed salary is a premium to negligence;—but why? because it is bestowed for life; literally, indeed during "good behaviour;" but when the breach of this must be established in a court of law, the grossest misconduct will generally pass unchallenged. It is the *security* which destroys the motives to diligence. Take away this, and a fixed salary may become a powerful stimulus to exertion.

Our mode of providing the country with efficient parocial teachers, would be this:—We would make the minimum salary, £60; and maximum, £120; exclusive of the fees, which we would reduce very low,—viz., reading, to one shilling per quarter; reading, writing, and arithmetic, to one shilling and sixpence; French, Latin, or Mathematics, two shillings and sixpence. The salary to be given by Government, or out of teinds, parish rates, or some description of public funds; *the Schoolmaster to be chosen by all the householders, small and great* (paupers excepted) *to hold his office for five years, but to be perpetually re-eligible.* The rationale of this scheme may be given in a very few words.

First, The teachers emoluments from salary and fees, would never be less than £70, and might rise to £160. When we see respectable persons bred to the church, with no better prospect than that of obtaining a curacy (held at the pleasure of a Rector) of £50 or £60 per annum, we cannot doubt that the pay proposed would induce able and active men to devote themselves to teaching as a profession, and prepare themselves for it by a regular course of study. The patrons of schools

would then listen to no candidates but such as were properly trained; and able teachers would be found in abundance.

Secondly, By fixing the fees extremely low, we bring education within the reach of the whole population. This is the grand objects of our parochial schools, and it is much less perfectly attained at present than many imagine. There are private schools of a very humble class in which reading is taught at the charge of one penny per week, which is only a shilling per quarter; and so poor are the parents, in many cases, that if this small sum were not paid in these fractional instalments, the children would be kept from school. In all large parishes there are some children who receive no education, and many who are but half educated, from the same cause.

Thirdly, By bestowing the office for five years only, and vesting the power of election and re-election in all the householders in the parish, we have an effectual guarantee against indolence and misconduct. We put the teacher on his good behaviour; for if his diligence slackens, if he betrays partiality, cruelty, or incapacity, his lease of office is not renewed at the end of his first term. The knowledge of this fact would keep him alert, and while ejection was hung over the heads of all, it would very rarely be inflicted. The security, however, would be incomplete if the tenure depended on a limited class of persons. If the heritors only were the electors, the situation would be made a job for a relation or dependent of some of them, and he would be kept in his office by the private influence of his patrons in spite of the just complaints of the whole parish. If the more wealthy householders only were the electors, the teacher could be tempted to make their children the objects of his partiality, and to neglect those of the poorer classes. But by vesting the power of election in the whole householders, rich and poor, we take the best means to defeat intrigue and private influence, and to insure diligence and impartiality in the teacher; for we make him dependant for his bread on the good opinion of all those who are most deeply interested in the proper discharge of his duties. Is this degrading him? By no means; it is merely placing him on the same footing with all mer-

chants, tradesmen, lawyers and physicians, and with all private teachers in our great towns.

A thousand aristocratic prejudices, we know, will rise up against the concession of such a privilege to the mass of the people; but we doubt if any other plan can be devised of securing adequate pay to a most important class of persons, without destroying their usefulness.—All attempts to keep teachers diligent by any sort of inspection or controul, exercised by heritors, kirk-sessions, and presbyteries, or public commissioners, are not only useless, but laughably absurd to those who know how such bodies operate. The grand stimulus to industry, and the great secret for having the business of society well conducted, is *to make every man's pay depend on the good opinion of those for whom he labours.* The wit of all the philosophers that ever lived cannot contrive any thing to rival the efficacy of this simple principle. Where its operation ends; where men's incomes are fixed and secure, and their duties left to their consciences, there carelessness, apathy, and every form of misconduct are invariably found; and hence the notorious indolence and inefficiency of judges, established clergymen, and all classes of public functionaries.

SECTION XXXV.

IRELAND.

INNUMERABLE have been the blunders in statesmanship committed by those who have ruled over us, and grievous the hardships which the people have consequently suffered, but none of them all are worthy of being compared with the systematic mismanagement, the undeviating oppression, and the unalleviated misery of Ireland. From

Henry to William—from the evil hour in which the foot of Strongbow first touched her devoted shore, to that in which we write—all has been misrule, coercion, tyranny. Catholic and Protestant, Cavalier and Roundhead, Whig and Tory, have agreed in her degradation; her weakness has excited no sympathy, her resistance commanded no respect. Oppression has provoked rebellion, and rebellion drawn down massacre and desolation, only to be succeeded by atrocities of equal enormity, and insurrections equally successful. Looking backward through the long vista of seven hundred years, during which England has mis-governed Ireland, we seek in vain for one sunny spot, one momentary resting-place from cruelty and oppression, one imaginable portion of time, during which it could be said Ireland was kindly used.

Originally treated like wild beasts, and hunted down like wolves, without exciting the commiseration even of the most merciful of their invaders, the Irish were at last subdued by English arms and English treachery. But their helplessness awoke no pity—their ignorance formed no excuse.

Elizabeth, kind to those whom she considered her subjects, was remorseless in her tyranny over her Irish slaves—the iron spirits of the Commonwealth, who recognized in them only the bigotted adherents of the tyrant whom they had sent to his account, had not the magnanimity to attempt the removal of these evils which had produced the slavish adherence they abhorred:—possessing power to punish the offence, they yet lacked wisdom to remove the cause.

Even the Revolution, fraught with so many blessings to the men of Britain, proved a curse to Ireland. It was then that the penal statutes on account of religious belief were imposed and consolidated—that the great majority—five sixths—of the whole population, were reduced to a state of helotism, for the gratification of that detestable incubus known as the Protestant Ascendancy, the members of which were in their turn trampled under foot by a few great families. Until the memorable year 1782, no Catholic, whatever might be his qualities, was permitted to carry arms even in his own defence. He was not allowed the least share in the management of the county,

or parochial affairs of the district to which he belonged —he was excluded from voting for members of parliament—he could not lend mony on mortage, nor acquire land—he was even precluded from acting as guardian to his own child!

Many of these grievances have been already redressed. But how? From a feeling of kindness—a sense of justice on the part of England?—no! they have been extorted from her fear—unwillingly conceded in the hour of her own political danger. Add to this, that though emancipation has been promised to Ireland, that promise has been broken to her hope. The Catholics—the millions—though eligible to the offices and dignities of the state, are practically excluded from their enjoyment, a circumstance which must greatly deepen the bitterness of feeling, as adding a sense of personal injustice to that of national degradation.

As if political exclusion were not sufficiently irritating, however, the unhappy Catholics are doomed to groan under the tyranny of an alien, and to them, idolatrous priesthood. The Anglo-episcopalian Church of Ireland is unequalled throughout the world. From the Llama worship of Thibet, to the Marai custom of Otaheite, so pure a piece of priestcraft does not elsewhere exist. It would not be tolerated an hour even in England, where the wealth and power of those professing Church of Englandism are so immeasurably greater; but existing where it does, it forms a moral monstrosity, a prodigy of wickedness which it is disgraceful in the present age to endure, and in the existence of which it will be difficult for posterity to believe. Mr Wakefield, the great authority on all subjects connected with the statistics of Ireland, is of opinion that the estates belonging to the following sees would, if fairly let, bring the undermentioned sums:—

The Primacy (Armagh)	£140,000	a-year
Derry	120,000	
Kilmore	100,000	
Clogher	80,000	
Waterford	70,000	

A Priest, a professor of the Christian religion, one bound to follow the example, and obey the precepts

of him who had not where to lay his head, receiving £140,000 a-year!

These anti-christian incomes, it may be said, however are drawn chiefly from the Church lands, and so do not immediately affect the people. Be it so. From whence are the incomes of the beneficed clergymen chiefly derived? From TITHES—from the accursed exaction, which has done more injury to the religion it is supposed to support, than all the armies who ever drew fire or sword against it, and which is now rendering Ireland a scene of riot and habitual murder. We need not remind our readers of the atrocities of the tithe campaign—who has forgot the clerical ruffian, who, when the peasant's little stack of hay had been knocked down, at a tithe sale, for a shilling, basely set fire to it? Who would be surprised if assassination should yet repay the brutal act?

A third grievance under which Ireland sinks, is the inequality of the law, or rather its utter inadequacy to punish Protestant outrage or redress Catholic wrongs. It is in vain you tell the latter that the law is equal and its protection open to all; he laughs at the fiction, bitter experience has taught him that, whatever may be its promise, the law of this country is to him only an enemy and a snare, and that, from the judge on the bench to the lowest tipstave in his court, it is administered by those who hate and would oppress him.

Equal to his distrust of the law, and proceeding from the same cause, is the Catholic's dislike of the magistracy. With a curious felicity in misgovernment, the magistrates of Ireland are universally selected from the individuals most hateful to the country and most worthless in themselves. They do not even pretend to impartiality in their actings. Major Sirr, one of the chief police magistrates of Dublin, had the hardihood to declare, before a committee of the House of Commons, that when a person was brought before him for a political offence, he always consulted the law officers of the Crown, as to whether or not he should commit him; nay, he even said that if the law officers told him to commit, he

would obey, though in his own judgment the accused partly ought to be discharged!

Our limits preclude us from doing more than seizing on the most prominent points of the misrule of Ireland, and even those we have rather hinted at than detailed. The result of these abuses, and of thousands of others which might be enumerated, is well known. From one end of Ireland to the other, destitution prevails, and that which, in other countries, constitutes the exception, forms the rule in that unhappy land. The misery is necessarily accompanied by ignorance of the grossest nature, and their united effect is to reduce the Irish peasant to the savage state in which we now find him, and to produce those dreadful deeds of lawless vengeance which have aroused against him the sympathies of his fellow-subjects, and an ill-founded belief that it is to the turbulence of the Irish character alone, that we should attribute the acknowledged misfortunes of that country.

Labouring under grievances, so grinding in their nature as these to which we have alluded; and seeing that, so far from their cries for redress being attended with success, they are not even listened to with common decency by the legislature of the united kingdom, is it wonderful that the Irish people are beginning to contemplate the possibility of a separation from that state, by whom they have been so uniformly ill-treated and trampled on? Do these men who rail at the repeal of the union as a visionary danger, ever consider how many grievances that measure would at once redress? Do they remember that independent Ireland would at once shake off the Protestant ascendancy, and the detested church —that the Tithe-proctor and the yeoman would instantly disappear from among them—that they would *then* attain equal laws and equal rights—that a national Parliament and executive would command the attendance of their wealthy proprietors, and so secure the improvement which always attends the residence of landlords on their own estates,—and that the mercantile and manufacturing energies of the country would then be directed solely with a view to the interests of Ireland?

Let us not be misunderstood. No one would lament more sincerely than ourselves, the separation of two coun-

tries so eminently qualified to strengthen and defend each other, as Great Britain and Ireland. Too well we know that in parting with Ireland we part with the right hand of our power; and God knows if the time be very far distant when Britain will require all her strength to repel the attack of Continental despotism on our island hearths. It is to avert this dreadful consummation, that we would direct the attention of our countrymen to the state of Ireland. It is to influence them to join with the Irish people in their petitions for the repeal, not of the Union, but of the abuses which, if much longer persisted in, will inevitably produce the separation of the countries. If the Whigs would only do Ireland *justice*—grant to the Catholics that share in the government of the State, to which they are naturally, and now legally entitled—pull down the unwieldy and overgrown mass of corruption nicknamed the *Church* of Ireland—utterly abolish the tithe system—render the laws equally protective of all classes of the people, and that by a proportional preferment of Catholic judges—relieve the immediate wants of the indigent, by the introduction of a *properly* conducted system of poor laws—and increase the means of their employment by wise measures calculated to improve the commerce and manufactures of the country. Would they do this,—and this is no more than every government is bound to do for those it rules over,—we are certain the ominous cry for repeal, which now frights the isle from its propriety, would soon be hushed in silence; or, if still persisted in by a few unprincipled demagogues, would be effectually drowned in the acclamations of a grateful people. If, on the contrary, the present system is still to be persisted in—if five-sixths of the people are to be kept in a state of subservient bondage to the remaining fraction—if they are to be imprisoned at the pleasure of Orange magistrates, and massacred by the mere will of Orange yeoman—and if the British Legislature will turn a deaf ear to their complaints, and treat the interests of Ireland as a matter unworthy even of sober attention—we foresee nothing but a civil war, final separation, and consequent downfall of this once great and powerful empire.

SECTION XXXVI.

TAXES ON KNOWLEDGE.

"The heavy duty which is levied on newspapers, whether considered as a source of revenue, or in its injurious tendency to restrict the diffusion of knowledge and intelligence, is the most objectionable part of our fiscal system. A fourpenny stamp on an article which sells at sevenpence is a tax of two hundred per cent. Some of the weekly papers endeavour to evade this onerous impost by selling a larger paper at a higher price, which reduces the percentage, the duty not being an *ad valorem* one; but they are subject to the disadvantage of a more limited sale, owing to the high price of their publications.

No one can doubt that the abolition, or even the reduction of the duty on newspapers would be more than compensated by a prodigious increase in their circulation. But then the object of the tax imposers in this case is not so much the increase of the revenue as to control public opinion, and limit good political knowledge among the people. The first and most obvious effect of the high duty, is by enhancing the price to curtail the benefit of newspapers, whether as the source of innocent amusement or useful instruction in favour of the more opulent classes of the community,"—to the great loss and detriment of those classes which form the groundwork and foundation of the whole political fabric, and on whose efficiency and extent of religious, political, and useful information, the stability, happiness, and unity of the whole depends.

"There are three taxes which press on newspapers,—the excise duty on paper of threepence per pound, or about a farthing a sheet,—the stamp duty of fourpence on each paper, with a discount of 20 per cent.,—and a tax of three shillings and sixpence upon each advertisement. Mr Bulwer, the Advocate of Diffusion of Know-

ledge by means of an untaxed press, proposes to repeal the stamp and advertisement duties, and to substitute a postage of one penny on each paper which went through the post-office; and he shewed that these postages, with the additional duty on paper, would much more than compensate the loss by the repeal of the stamp and advertisement duties. The amount of the newspaper taxes for the year ending 5th January, 1832, was in

England, including papers for Advertisements	£502,697
Advertisements	137,838
Scotland, Newspapers	52,090
Advertisements	19,060
Ireland, Newspapers	31,846
Advertisements	15,672
Total	£759,203

The total number of newspaper stamps issued in the year ending 5th January, 1831, was 30,493,941, and supposing the duty on the paper to be one farthing per sheet, and every one of the newspapers to go by post, there would only be received a revenue of £127,058. It is therefore very doubtful whether the revenue presently derived from newspapers could be raised in the way Mr Bulwer proposes, for we think his supposition that the removal of the taxes might increase the circulation to 1440 millions of sheets yearly, utterly extravagant!

There can be but one opinion as to the propriety of diminishing the duty of three shillings and sixpence on advertisements, it operates in a great measure as a prohibition upon trade, for notwithstanding the circulation of newspapers has increased very much of late years, the advertisement duty continues nearly stationery. Thus in 1825, the stamps on Scotch newspapers amounted to £24,419, while last year the amount was £52,090; but the advertisement duty has only increased during the same period from £18,708 to £19,060. There can be little doubt that if the duty were diminished, one half the revenue would be greatly improved.

It will hardly be believed that Ministers have not nerve enough to propose the abolition of the infamous restric-

tions by which the diffusion of sound political knowledge in this country is prevented. It will hardly be credited, that Lord Althorp has doubts, not only of the propriety of abolishing, or at least materially reducing the taxes on knowledge, but also as to whether the public desire the abolition. Now a better man than Lord Althorp does not exist; but we must take leave to say he is not always a wise one; and, with respect to the question before us, we do not hesitate to assert that he has suffered himself to be grossly imposed upon by two or three great monopolists of the London press, who imagine that it would not be so easy for them to make a profit of £20,000 per annum if the trade were thrown open. It is a pity that so honest and well-meaning a man as Lord Althorp should be made the dupe of such deception. He ought to reflect, that with or without his consent, a Reformed Parliament will make the abolition of the taxes on knowledge their first step; and as he cannot expect to retain the office which he now holds much longer, as he will soon be called to the Upper House, he should endeavour to leave it with honourable eclat.

Lord Althorp should bear in mind three important facts—first, that even in this reading country there is not one newspaper to sixty persons, whilst in America there is one to twenty; secondly, that in proportion as newspapers circulate, there is increase of knowledge and diminution of crime; and, thirdly, that by the enormous duty on newspapers, and on the advertisements which they contain, the publicity necessary for commerce and trade is subject to a tax injurious to the interests of both. Having these facts before him—and that they are facts, we will show in our next statistical details—he ought not to pay the slightest degree of attention to the representations of monopolists connected with the public press, who, although they can be liberal enough when the interests of others are concerned, are selfish and unjust when there is a question raised affecting their own gains.

It has been asserted, with a view to deter the Government from any measure calculated to throw open the newspaper trade, that a reduction of the taxes on knowledge would be an encouragement to needy, criminal,

and seditious men to deluge the country with their trash. This is absurd: it would be as expensive to carry on a newspaper without a tax as with it. All that can be said is, that as there would be a larger sale for papers than there is now, if the taxes were to be abolished or materially reduced, enterprising men of intellectual resources, who are now in the back ground, would come into the field. This would be a public benefit; and as a security against the deluge of radicalism, which Ministers appear to dread, they might retain the gagging acts for a time—we mean the law requiring bonds and oaths in the Courts of Exchequer against blasphemy and sedition. Let them, however, repeal the grinding impost upon newspapers, and they will soon find that things will go on well without the necessity of any gagging at all.

We will just tell Lord Althorp what it costs to produce a newspaper, independently of the paper and stamp. The weekly expense of a daily newspaper is from £200 to £350; that of an evening paper from £100 to £140; of a weekly paper from £25 to £50. Our own paper costs the latter sum before we can throw off a single copy. Reducing the taxation will not reduce the expense, and consequently there is no reason to dread the degradation of the press. The difference would be in an increased sale; where one man reads newspapers now, ten at least would read if the taxes were taken off, and in that proportion would society at large be benefited and improved.—*Merle's Literary Register.*

"The taxes upon knowledge are incompatible with good government, they are taxes to swell the revenue and starve intelligence; taxes for the plague of darkness so friendly to error and delusion. First in the order of things, "let there be light." As the people have power, give them every help, or at least interpose no obstacles to their having a view of things, an apprehension of the true objects and their relative importance, and understanding of the consequence of their actions. Light is a great auxiliary to order,—a great check to crime. An artificial darkness has been created, the mind's eye of the poor has been closed by barbarous imposts; yet there has been wonder and revilings at wanderings and mis-

guidance. What a people would be deprived of sight, a people are deprived of intelligence. This is a state for instant relief, and where so much is at stake, and so much has to be done, not a moment should unnecessarily be lost to improvement. The Chancellor of the Exchequer has a ready substitute for the abolition of the taxes upon knowledge—a very low postage which would render, on the greatly increased circulation of the papers, a large revenue. This, however, is an unworthy consideration, for nothing should be thought of but the mind of the people, the sound state of which is of a value to an honest government not to be estimated in gold. But unworthy as the consideration is, the Chancellor of the Exchequer may look to it if he be so unwise as to think more of the revenue than of the grand object for which a revenue is raised, or rather should be raised; for the practice at present is at vast variance with the proper purpose; and we warn him, that things are come to this point, that if he do not remove the restrictions on information, while his principles forbid him to enforce them, the press will fling off its fetters, and leave him after a perilous example to shift for the revenue as he best may."

SECTION XXXVII.

EXPOSITION OF THE NATIONAL DEBT.

ALTHOUGH the feudal system was a barbarous social institution, it possessed the advantage of entailing on the fomenters of war its unavoidable cost and calamities. The old barons used to arm themselves and vassals at their own expense, and support them during the contest. There was then no standing army nor permanent revenue,

—those who tilled the land fought the battles of the country. Under such a system, wars could neither be very long in their duration, nor very remote in their objects. Foreign expeditions suited as little to the national resources as the avocations of the people. The only time that could be spared to settle public quarrels was between seed-time and harvest, and the only treasure they could be provided with before-hand was the surplus produce of the preceding year. Hence, wars were generally either carried on languidly, or were of short duration. Their operations were frequently interrupted by truces, and sometimes discontinued through mere feebleness. A warlike leader was often stopped short in his victorious career, either from the want of resources, or the necessity of allowing his followers to return home to provide subsistence for the following season.

The state of the sovereign was as little favourable to protracted contests as the condition of his lieges. His revenue was derived partly from lands reserved as a royal demesne, and partly from feudal casualties, and afforded a slender provision for maintaining the royal dignity, and defraying the ordinary expenses of government, but was altogether inadequate to the support of numerous and permanent armies. Supplies from the people were obtained to a certain extent; but the people neither possessed the means, nor, happily, had acquired the habit of granting liberal supplies. Princes, under any emergency, real or supposed, or actuated by any scheme of ambition, had recourse either to borrowing or *pawning*. The loans which they raised were partly compulsory, and, as the repayment was ill secured, the rate of interest was high. Sometimes the jewels of the crown were pledged, and sometimes the crown-lands were mortgaged. In this manner, the revenues of most of the powers of Europe were anticipated and encumbered.

A new state of society introduced a new mode of supporting war. Instead of borrowing on their *own credit*, sovereigns learnt to borrow on the credit of *posterity*. The issue of war no longer depended on a single battle or successful irruption, but on the length of the public purse. It was not money, however, that formed the sinews of war, but *credit*. Credit superseded money and

modern policy found out the expedient of supporting wars for temporary objects, and entailing the burthen of them on future generations. This system possessed too many facilities to be abandoned, or not to be carried to the utmost extent of which it was capable. And, accordingly, we find wherever the system of borrowing and funding has been introduced, it has gone on with an accelerated velocity till the payment of the principle became quite chimerical, and governments were obliged to compound with their creditors for the interest.

The Debt of this country, which was inconsiderable at the Revolution, has increased, in less than a century and a half, to its present magnitude. The increase during every reign, except the pacific reigns of George I. and George IV. has been greater than the preceding. The increase, during every war, has been greater than during the preceding. The increase during the latter period of every war, has been greater than during the earlier period. The increase, by every hostile interference or warlike demonstration, has been greater than the ministers held forth when the measure was undertaken. The part of the debt paid off, during peace, has borne a small proportion to that contracted by the preceding war.

These are the general characteristics which have marked the progress of the funding system: it has been the national spendthrift vice that has operated on the public welfare, like the addiction to some baneful passion in an individual; indulgence augmented appetite, till at length, the malady has reached a state of virulence which precludes all hope of cure or alleviation. As to the honest liquidation of the Debt, that is an idea we believe not a single person to entertain; all that the most reasonable look forward to is postponement, until such a crisis in public affairs occurs, as will demonstrate to all parties the expediency of coming to terms—*of a compromise*, for mutual safety and advantage.

We are now in the *sixteenth year of peace*, and, comparatively, no portion of the debt has been redeemed by actual payment; the reduction in the annual charge has been chiefly effected by the conversion of stocks of a high into those of a lower denomination,—a mode of procedure

accompanied with serious suffering to particular classes of annuitants, and accomplished by ministerial combinations in the money-market, for artificially forcing up the prices of stocks, hardly justifiable. Before, however, adverting particularly to the redemption of the debt, let us give a brief statement of the progress of the Debt, and its successive augmentations and diminutions during different reigns and periods of war and peace, and the total amount at the present time.

The national debt was first contracted in the reign of Henry VI. 1,430 pounds.

The present debt commenced in the reign of William III. and was near 5 million in 1697, and at the death of William, in 1702, it was 14 millions.

At the death of Quenn Anne, in 1713, it was 50 millions.

1717, it was reduced to 46 million, six hundred and three-thousand, one hundred pounds.

In 1727, the interest was reduced from 5 to 4 per cent.

Before the war in 1740, the debt was 46 million, 382 thousand, 6 hundred and fifty pounds, bearing interest of one million, 9 hundred and 3 thousand, 9 hundred and 61 pounds.

In 1747, it was 64 million 593 thousand, 797 pounds, 16 shillings and 9 pence half-penny.

In 1749, after the war, it was 78 million, 166 thousand, 9 hundred and 6 pounds, bearing interest 2 million, 765 thousand, 6 hundred and 8 pounds, having increased by nine year's war, 31 million, 734 thousand, 264 pounds, bearing interest of 2 million, 654 thousand and 16 pounds.

In 1757, it was 74 million, 780 thousand, 886 pounds, 8 shillings and 2 pence half-penny, when the interest was reduced to 3 per cent.

At the end of the war in 1763, it was 146 million, 582 thousand, 844 pounds, bearing interest of 4 million, 840 thousand, 822 pounds, having increased, by 8 year's war, 71 million, 5 hundred and 5 thousand, 5 hundred and 80 pounds.

In 1792, it was 127 million, 497 thousand, 619, when its interest amounted to 4 million, 526 thousand, 392 pounds.

In 1775, it was 135 million, 943 thousand, and 51 pounds, whose interest was four million, 449 thousand, 812 pounds. Having, by twelve year's peace, been reduced to 10 million, 6 hundred and 39 thousand, 793 pounds.

In 1786, three years after the American war, it was 266 million, 725 thousand, and 97 pounds. The interest of which was 9 million, 536 thousand, and 26 pounds, having been increased by that war 130 million, 782 thousand, 461 pounds.

At midsummer, 1796, it was 360 million pounds, which, in 1790, amounted only to 242 million, besides the unfunded debt of thirty million, including the Navy and Exchequer bills, &c.

In 1794, it was 260 million, and after a 24 years war with France, and 16 years of peace, in 1832 we are now burdened with a national debt of EIGHT HUNDRED MILLION. But we will take our calculation of the present debt rather under that sum than over, say seven hundred and eighty million.

A desirable fact to ascertain is, the permanent charge entailed on the community by the war of 1793. From the extensive inquiries of the Finance Committee of 1828, this subject may be correctly illustrated. The annual augmentation of the permanent charge of the debt, between 1792 and 1816, was £22,744,360. To this must be added, the charge for the half-pay and pensions of the army and navy and civil retired allowances, called the dead weight, amounting to £5,363,640 per annum. We must also allow for the increase in salaries, in civil and colonial establishments, which were a consequence of hostilities. The results will be best expressed in a tabular form.

Permanent Burthen entailed on the Country by the Revolutionary War, from 1793 *to* 1815.

Interest of the debt contracted during the war	£22,744,360
The annual charge for half-pay, pensions, and superannuation allowances, amounting in 1830, to £5,363,640; but consisting almost all of life annuities, may be computed equal to a permanent burthen of	2,250,000

Exclusive of this last item, the expenditure of the army and navy is greatly augmented since 1792, partly from the extension of our foreign possessions, and partly from the augmented military force kept up in Ireland and Great Britain. On account of the war, say	2,500,000
Increase of Civil List, salaries, and pensions	2,000,000
Other charges not enumerated	1,000,000
Total	£30,494,360

Such is the amount of the burthen entailed on the country by the last war of the Aristocracy. Yet the usurpers have the meanness to refuse £250,000 a year for the purposes of emigration. They have even the baseness to complain of the amount of poor-rates; they grumble to pay a few millions per annum for the relief of the aged, the infirm, and destitute, while they have wantonly burthened the community with a perpetual incumbrance of upwards of THIRTY MILLIONS per annum in war and devastation. Although they have thus mortgaged for ever national resources, happiness, and enjoyments, they aggravate the calamities they have created, by clinging with the grasp of death to enormous salaries, sinecures and unmerited pensions. Can any man who has a head to think, or heart to feel, suppress indignation in contemplating this unexampled record of infatuation, injustice, and oppression?

SECTION XXXVIII.

EVILS CONSEQUENT ON THE SUDDEN EXTINCTION OF THE NATIONAL DEBT.

We come next to the second consideration,—*The extent of distress and suffering consequent on a sudden extinction of the National Debt.*

It is a most mistaken idea to suppose that the great mass of funded property belongs principally to monied

men and capitalists. These have rarely much property in the funds; if they have, it is only a portion of their unemployed capital, which they occasionally lodge there for a few days or weeks, to accomplish some stock-jobbing speculation, or till they find for it a more profitable investment. Neither has the aristocracy or church considerable deposits in the funds: most of the former from waste and extravagance, are steeped in debt and mortgage, and, notwithstanding their enormous incomes, from rents, tithes, and taxes, they have hardly a shilling to spare for necessary expenses; and the rich clergy, from similar want of prudence and economy, are in a not less embarassed predicament. The great bulk therefore, of property permanently invested in the public securities is trust-property; property left for charitable uses; property belonging to suitors in Chancery; small sums belonging to officers retired from service in the army and navy; the funds of benefit societies and saving banks; and a vast number of small annuitants, consisting of minors, orphans, widows, old maids, bachelors, and families retired from business and the world, whose sole dependence is on the receipt of their half-yearly or quarterly dividends, and who, having vested the whole proceeds of a weary life on the faith of the nation, any attack on the funds would, to them, be as sudden and overwhelming as a stroke of lightning.

On this part of the subject we have authentic data to proceed; we know, from accounts laid before parliament, the number of public annuitants, and the amount of property vested in the funds on account of benefit societies, saving banks, and suitors in Chancery. From a parliamentary paper, (No. 41, Session 1830,) it appears the total number of persons receiving half-yearly dividends, on the different stocks, constituting the Public Debt, amounts to 274,823; of which number there were who received,—

Not exceeding	£5	83,609	persons.
Not exceeding	10	42,227	ditto.
Not exceeding	50	97,307	ditto.
Not exceeding	100	26,316	ditto.
Not exceeding	200	15,202	ditto.
Not exceeding	300	4,912	ditto.

Not exceeding	500	2,077 persons.
Not exceeding	1000	1,555 ditto.
Not exceeding	2000	450 ditto.
Exceeding	3000	461 ditto.

Several annuitants have property in two or more separate stocks, as in the three per cents. and three and a-half per cents. so as to receive dividends quarterly: suppose nearly one-third are of this description, and, instead of 274,823, there are only 200,000 national creditors, who share among them the whole interest of twenty-eight millions, payable on the public debt: in which case, each receives, on an average, only £140 a-year.

Think of the consequence of extinguishing, or even abridging these petty incomes! What impoverishment and destitution it would create among widows, orphans, the aged, and infirm. How many funds, destined for charitable uses, or for mutual assurance against misfortune, and amassed with difficulty out of the earnings of the industrious, would be violated! From official returns in 1829, it appears there are in the United Kingdom, half a million of contributors to Saving-banks, whose deposits amount to upwards of 17 millions. The number of members of friendly societies, in 1815, amounted to 925,429; and the property belonging to them, vested in the funds, amounted to 40 millions. These funds have been raised and guaranteed by special acts of parliament, so that to encroach on them would be a shameless and flagrant violation of the public engagements.

It is not, however, the public annuitants only that would suffer by the measure we are considering; the calamity in its direct and indirect consequences would fall almost exclusively on the middle and industrious orders. Nearly the whole interest payable on the debt is expended in support of the domestic trade, manufactures, and agriculture of the kingdom. A large portion of the revenue of the higher classes is consumed abroad, in the support of menial servants, or in articles of luxury, which hardly create any traffic or employment; whereas, the incomes of the public annuitants are chiefly spent among ourselves, in the employment of the artizan and labourer, and in the dealings with the grocer, baker, butcher,

linen-draper, victualler, builder, carpenter, &c. It follows that any diminution in the revenue so expended would inflict incalculable mischief on the whole internal trade and economy; it would be the most hurtful of all remedies that could be applied to our embarassments; for there is no other description of property, the violation of which would cause such wide-spread misery, distress, and mercantile stagnation. A man, therefore, who brings forward such a scheme must not only be an enemy to the general welfare, but he must be thoroughly depraved, and an alien to all those principles of justice and feelings of humanity which fit an individual for social communion and intercourse.

SECTION XXXIX.

LIQUIDATION OF THE NATIONAL DEBT.

All idea of liquidating the debt, by an operation of a Sinking Fund and dead weight annuity project being given up, we may conclude that this great national incumbrance is destined to be a perpetual burden entailed on succeeding generations. This it must be confessed, holds out a discouraging prospect for the future. Let us, however, inquire if it be not possible to imagine a course of public affairs which would tend to the just and natural extinction of the debt. Although there are few questions in public economy that have excited more intense inquiry than the progress and final issue of our funding system, still, we think, there are one or two views of the subject which have been overlooked by political writers, and which we shall beg leave briefly to submit to our reader's consideration.

Lord Goderich justly remarked (session 1830) that it is not the magnitude of the capital of the debt, but the dividends which form a question of interest. A public creditor is not, like a private creditor, entitled to demand pay-

ment of both principal and interest; all to which he has a compulsory claim is the regular payment of his dividend. A greater amount of capital is only important to the public, inasmuch as it imposes a heavier burden in the charges of management payable to the Bank of England. The vital consideration is the amount of the perpetual annuity entailed on the country: whatever tends to lessen this charge relieves the public; and let us see what system of policy would most effectually promote so desirable a consummation.

The interest of money has been gradually falling for centuries; and, from the augmentation of capital, it is not possible to assign the minimum;—it may be depressed to one, or even to a half per cent.; or money may be so redundant, that, instead of the payment of interest for the use, a *premium* may be given merely for its safe custody. How far this reduction may be still carried depends entirely on the management of public affairs. Let us suppose our rulers have resolved, all at once, to carry on the government on principles of justice and wisdom, without regard to the partial interests of the Church, the Aristocracy, or any other section of society; let us suppose they are resolved to give full scope for the augmentation of national wealth, by the abolition of commercial and chartered monopolies—by the repeal of the Corn Laws, and of all such taxes and restrictions as impede the development of industry: let us suppose that government is resolved to make all reasonable concessions for the attainment of internal quiet and contentment, by the extension of the elective franchise—the improvement of the judicial administration—the abolition of partial or oppressive laws—the reduction of exorbitant salaries, the extinction of sinecures, the rescinding of unmerited pensions, and the relinquishing of unprofitable and useless colonies: let us farther suppose that government is resolved to pursue a system of impartial justice towards Ireland, remove all pretext for popular agitation, and cultivate, to the utmost advantage, her vast resources: lastly, let us suppose that government is wholly intent upon promoting the general welfare, that they are resolved to remove all restrictions on the freedom of discussion, and allow the utmost latitude,

without regard to considerations personal to themselves, for the free investigation of every question in the least relevant to the public happiness; especially of such questions as elucidate the causes of the poverty and privations of the great body of the community.

Now, supposing such a liberal and enlightened policy to be pursued by the government, the consequences would be most extraordinary. Contentment and confidence would pervade all, and, every obstacle to the full development of industry removed, commerce, manufactures, and agriculture attain an unexampled state of prosperity. The country would be inundated with wealth, and the mass of unemployed capital would be so great, that interest would be merely nominal. And would not Ministers take advantage of such a favourable crisis in national affairs to reduce the debt? Assuredly they would. All the stocks would rise above par, and they might either pay the public creditor his principal, or compel him to accept a lower rate of interest. It is in this way, merely by the operation of good government, by adopting measures to promote internal concord and prosperity, that the Three per Cents might be reduced to two, one, or even a half per cent.; and this is what we call the JUST AND NATURAL EXTINGUISHMENT OF THE DEBT.

SECTION XL.

NATIONAL ECONOMY.

ECONOMY is one of the chief duties of a State, as well as of an individual. It is not only a great virtue in itself, but it is the parent of many others. It preserves men and nations from the commission of crime and the endurance of misery, The man that lives within his

income, can be just, humane, charitable, and independent. He who lives beyond it becomes, almost necessarily, rapacious, selfish, mean, faithless, contemptible.

The economist is easy and comfortable; the prodigal harassed with debts, and unable to obtain the necessary means of life. So is it with nations. National character, as well as national happiness, has, from the beginning of the world to the present day, been sacrificed on the altar of profusion.

The duty of economy is not more important than difficult. The Government of every State lies under a constant temptation to transgress it; and this temptation exists under every form of government that human ingenuity has yet devised. History shows that it has been yielded to in republics as well as monarchies; and the only republic that can be fairly instanced as an exception, has hardly lived long enough to enable us to ascertain whether its constitution contains an antidote against the lurking poison. Had the United States of America been established some centuries ago, the original simplicity of their institutions would probably not have protected them from the encroachments of ambition and rapacity. Their President and officers of State might have thrown off their modest exterior, and in time have become an aristocracy, vieing with that of Rome in power and prodigality. But the diffusion of political knowledge renders this a consummation not now much to be feared. It is likelier, that, while America preserves her plain and frugal administration, the governments of older countries will throw off their superfluous and expensive pageantry, and donning a plain, cheap, and working habit, become more respectable in appearance, as well as more useful and efficient. Our readers will not mistake us so far as to suppose that we would wish to deprive any government of the decent splendour that should surround it. But much of the tawdry tinsel which formerly was gazed on with ignorant awe, is now surveyed with intelligent scorn. The time is gone by when it was necessary to purchase for *Cato* himself the respect of an English theatrical audience, by dressing him in "long wig, flower'd gown, and lacquer'd chair." The physical splendour requisite to add dignity to the government even of a monarch,

will not be very costly, provided it is accompanied with that moral grandeur which is bestowed by wisdom and patriotism.

Governments being prone to profusion, it belongs to *the people* to check this propensity: and the provision of our constitution, which vests in the popular branch of the government the exclusive power of regulating the supplies, cannot be too much eulogized even by a De Lolme. But De Lolme eulogized as a substance what was little more than a shadow in his time; for it was then a mere illusion, that the House of Commons represented the people. Things are different now; and if the people are pinched by profuse expenditure in future, they will have themselves to blame.

If any thing could highten the necessity for the most unsparing reduction, it would be, that one great branch of expenditure—indeed four-sevenths of the whole—cannot be touched. Of course, we allude to the interest of the National Debt. To diminish this heavy and just burden, by paying the public creditors in debased money, or any similar device, would be a breach of faith so scandalous and disgraceful, that we feel perfectly assured it will never be sanctioned by the Government, the Parliament, or the People of this country.

Profusion has generally been the immediate cause of the overthrow of old governments and the ruin of empires. In modern France, the growing deficit of the finances [illegible] swelled at last to a bulk with which it was in vain to contend, gave rise to those disorders which broke in pieces the frame of Government, and overturned the whole structure of society. Such hitherto has been the fate of old governments: and such may our own be, when the weakness of old age shall come upon us. We are old, indeed, if our years are counted; but it is, we trust, a green old age; and, in the Great Charter of 1832, we have drunk an *elixir vitæ*, which if it cannot confer immortality, will at least bestow on us a new lease of existence as a nation.

FINIS.

PRINTED BY ANDERSON & BRYCE.